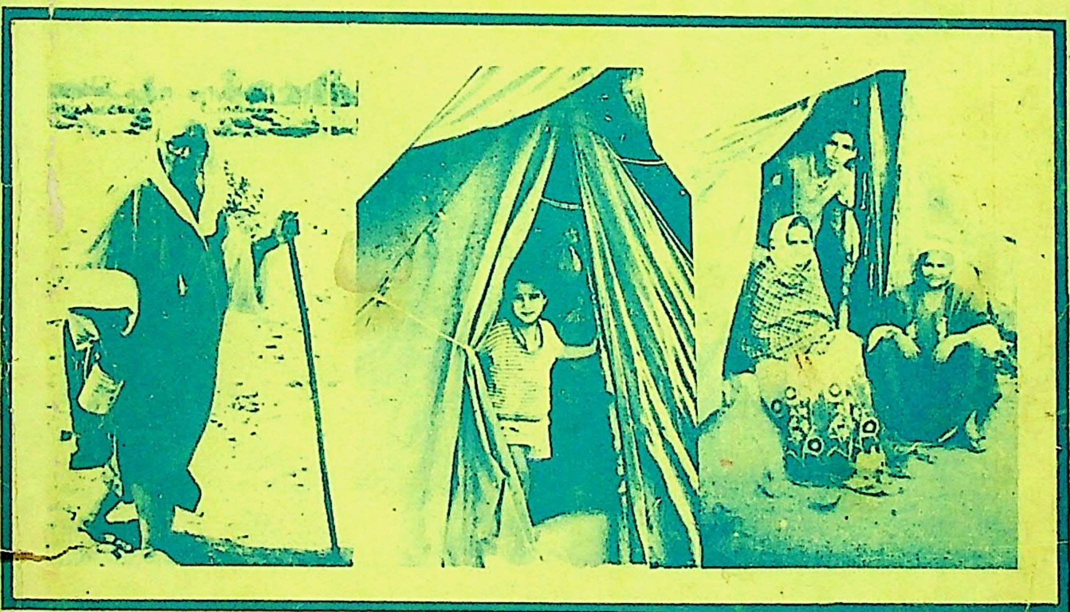
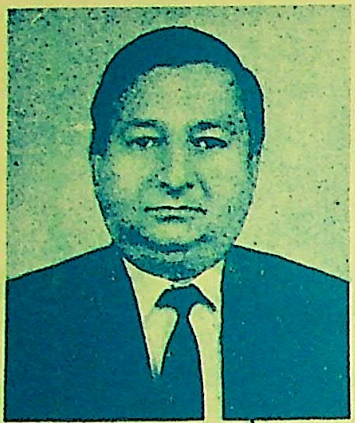
KASHMIR
TRAIL AND TRAVAIL



PYARELAL KAUL



A prominent Advocate, Author, journalist, politician and firebrand orator, Mr Pyarelal Kaul is a life long Socialist. He joined socialist movement from his School days. For most of the period he remained associated with Praja Socialist Party and was also its J&K State Secretary. Earlier in 1961, he was Joint Secretary of its youth wing SYS, Delhi. He was office bearer of both the Socialist Organisations at different times and also of other Parties formed after merger of the Socialist Parties : he was Senior General Secretary of J & K State Janata Party and also Vice President of State Lok Dal.

He is an office bearer of Janata Dal, and is Convenor of National Struggle Front. Mr Kaul has done his LLB from Delhi University. He believes more in struggle for good of the people and the country than in political escapism.

Mr Pyarelal Kaul has not adhrered to the politics of linguistic bias, commuanalism, casteism, or regionalism and,as such, always remained wedded to secular and national opposition parties and to the politics of national mainstream.

KASHMIR
TRAIL AND TRAVEL

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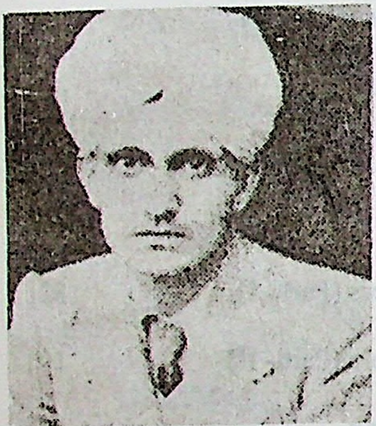
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Chapters

DEDICATION

This book is dedicated in sweet and everlasting memory of my revered parents, **Late Pt. Shambhu Nath Koul Vakil** and **Mrs. Leela Wati Koul Vakil** who had cradled me to face boldly the inclemencies of the times and ups and downs of the life.

Pyarelal Kaul (Vakil)

Preface

This book was almost completed in Jammu when I left for Delhi during the High Court recess at Jammu. With the completion of this book, some rapid and important changes occured in the Central Ministries from May to June, 1996. Three Ministries changed in quick succession, the shortest period of change over, ever witnessed in the history of democratic India. I did not, however, like to re-open the book and make any futher additions in it, covering the new developments viz-a-viz Kashmir.

The book was written in long hand. Ordinarily, I donot go through the manuscript to check it up, sometimes due to paucity of time. There is, therefore, always liklihood of mistakes or else the manuscript remains in cold storage for some time which has happened to some of my earlier manuscripts. But my wife, Suman Kaul, took it upon herself to go through the manuscript. Without her taking pains, the publication of the book might have been much delayed. I am thankful to her for extending all the co-operation and taking pains in seeing it through. I am thankful to my son Mr. Ameet Kaul also for helping me in completing this book.

Daughter of the family Ms. Preeti Nehru (Vakil) helped in providing me some material for preparation of this book. I am thankful to her as well.

Translation of some excerts from Urdu into English or of any other language, has been done by me as approximately as possible.

I acknowledge the help of some of my Jammu Bar colleagues by way of a general discussion done about the book or passing some information to me in this regard. I, therefore, thank Messers Rajeev Chopra, D.N. Jotshi, C.L. Koul, B.N. Pandita, R.K. Raina, T.N. Bhat B.L. Pandita, P.N. Raina and B.N. Koul.

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Pyarelal Kaul
(Advocate)
July I, 1996.

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The Fire And The Fume

I was not inclined to write these lines about myself in this book as it is not my autobiography. But certain factors have impelled me to draft these lines briefly. This book is in a way, no doubt brief biography of Kashmiris, as is my earlier book "Crisis in Kashmir". Both the books are, treasure of Kashmir events, political trends, currents and cross currents and so mines of information on Kashmir. Facts are contemporary and content important which may form the basis of an important material for the historians of near and distant future. These books in itself are, therefore, inalienable part of the Kashmir history. I have always tried to record the facts faithfully.

Jonaraj had made an important and valuable addition to Kalhama's, world famous Rajtarangni, giving insight into the blood bath Kashmiris had undergone in the medieval Kashmir, after the advent of Muslim rule there. The note wothy is that Jonaraj wrote that part of history at the instance of Sultan Zain-ud-Abdin himself which reflected the tyaranny and torture comitted against the Hindus by his own father. "Truth is bitter" (Al-haq Al-mooran), says the Quran and I have tried to reflect it. Awakened to my conscience and unmindful of the consequences, I felt duty bound to make exposure of truth about Kashmir. This contemporary account of Kashmir as a part of India is both, a matter of extreme concern and surprise. The facts and other material mentioned, may be deemed a supplement to Jonaraj's part of Rajtarangni, in this late twentieth century. Without, however being able to emulate his forcible pen, versatile genius, his keen observations and perception of the facts and the situation, the depiction of current Kashmir has been endeavoured. My books may not at all be taken in the line of Jonaraj's writing but only a humble attempt to the extent of unfolding the facts pleasent and unpleasent.

It is my missionery zeal that I ventured to write the truth. I am not unconscious of the fact or am not mistaken that what I have written is the last word of truth. That is not the case, nor I claim, nevertheless what I have been writing is also a truth and a naked, stark truth. Politics

has been a mission with me and to write the truth a passion. To reach this stage and write the truth without fear or favour, I have undergone a great sacrifice unknown to the general public. For this, I had to keep the fire of my mission burning and passion alive in my mind without being lured, deterred or fettered throughout my life. It required a great "Tapasya" (Meditation), "Tyaag" (sacrifice) and "Sadhana" (dedication) which I have gone through. That is how and why my books have been possible to come out, forming a class and catagory different and seperate. My books make a departure from conventional type of writing books. This needs essentially some moral force, spirit of integrity, honesty and revolutionary mind to ravel in this adventurism. I am not talking about other people, their genius and intellectual attainments or their capacity to divulge and disclose the truth. I simply talk about myself being counscious of my incapacities, infirmities and disabilities.

People had seen some fume only and not the smouldering fire in me. But fume indicates that fire is somewhere smouldering which apparently went unnoticed by others. This burning fire may consume me and possibly some others too, and what shape and form it may take, cannot be said. And this fire has, both the qualities as the flames of any other fire have. It will emit light and vanish darkness, it will generate heat too, give warmness but excess of heat causes combustion also. Desirous of light may draw light from it on the affairs of Kashmir and others may find a warming up or burning heat.

This smouldring fire has never allowed me to accept any offer or avail of any opportunity through out my life. It is right from the days of Bakshi Ghulam Mohamed, then Prime Minister of Jammu and Kashmir. His offers to me ranged from gazzetted post to joining National Conference with assurance of financial stability and likelihood of "Mandate for Assembly election". I did not agree. It was before my doing law, which I have done from Delhi University. I have given a brief and passing reference about it in my book "Kashmir ke Shab-w-Roz" (Urdu) published in early seventies. The State government continued its persuation even during the period I was doing law at Delhi. I was side by side, running an ancesstral weekly Vakil (in English) also in Delhi during those days which was banned in Kashmir twice. Inspite

being a socialist and an office bearer of its students/youth wing in Delhi, I was supporter of G.M. Sadiq's Democratic National Conference in disregard to the Party official line. I felt the need of a viable secular and Democratic Party in the State. Our Parja Socialist Party was already in existence in the State which could not meet the demands of the time. Failing to bring me round, Brahama Prakash, one time a Chief Minister of Delhi intervened. He sent his P.A. to my office (at the instance of Bakshi Ghulam Mohd.) to see me for joining the pro-establishment camp. He met my colleague Bawa Kripal Singh (a press keeper in Delhi) in the office and requested him to advise me to see Brahama Prakash for futher discusstions with him to settle the modalities. He had left his contact number with him.

When I came from the University there, Bawa told me all about it. Perhaps seen my hardships and difficulties, he advised me to avail of the opportunities. I again spurned the offer as my conscience did not allow me to relent. I was always regid and unbending and Bawa was surprised over my decision. True, I was surviving under hard conditions but I was not prepared to compromise my politics. Being essentially a man of conscience and honest temperament with exptreme headstrongness, self confidence and boldness, I did the same thing always.

My sufferance and struggle never came to end as I cherished it more than the comforts that could be obtained through the deals not compatable with my conscience. It had, however, one sordid aspect that this type of my regid and inflexible behaviour belied always the hopes of others attached with me. Whenever my party used to come in power in the Centre, I was always ignored totally in all respects within and outside the State.

The Central High Command would patch up with other forces and elements, against whom we mostly fought politically. At that time they would look to their individual interests and not to our honesty of conviction, political steadfastness and sincerity. My small core group always would, therefore, get demoralised and dejected. It didnot affetct my will or determination but it used to affect my collegues and comrades

and we all were thus reduced to meaningless position. This also is an aspect of my public life.

After doing my law from Delhi University, I enrolled myself as an Advocate in Delhi and started practice in Delhi. But my senior Socialist colleagues and leaders particularly Surindar Mohan asked me to go back to Kashmir. Being the only Socialist left in Kashmir, I should not remain in Delhi but keep the Party alive there, they told me. I okayed and returned to Kashmir to the annoyance of a number of my friends and colleagues in Delhi, though I was under obligation to none. It was the standard of dedication, sincerity and discipline that I went back to Kashmir.

I have never collected a single penny in my life, nor any body has paid me anything so far, not even the Political Parties I worked for, I had to depend on my lean pocket always. My financial difficulties, I do admit, have always hampered my activities and so of my colleagues as well.

Perhaps being aware of the above aspect alone, a sitting Judge of Jammu and Kashmir High Court told me in Jammu in March, 1995 during the current displacement that I was a good lawyer and should stick to practice alone. Justice V.K. Gupta (now transferred to Calcutta) had visited the house of P.K. Zalpuri to express his condolences on the demise of his father Pran Nath Zalpuri. He advised me there out of sheer sympathy, that I should give up politics which has given me nothing and instead do whole time practice which would earn me more respect and position than politics would given me. How could I explain him there, the motive behind my politics was missionery and my personal troubles were self created. As such, I never availed of the opportunities or at least did not put in even any effort in that direction for gains, profits and positions, let alone success or failure.

He was right from his gangle. Normally success and achievements are seen and merited and not failures. The people had only seen the smoke and no radiance of the fire smouldering in me, nor even the mission of service that I held so dear and which had cost me

and my family so much. This in fact, has provoked me to write these few lines.

Justice Mufti Bhau-ud-Din Farooqi, then Chief Justice of Jammu & Kashmir State had confidençially recommended my name for appointment of Judicial Member of Central Exise Tribunal, somewhere in early eighties. Justice Murtaza Ali of Supreme Court was the Chairman of Selection Committee, who was very close to my brother and myself. I came to know about this when I received a casual letter for consent. News about this appeared thereafter, in the Economic Post Srinagar (fore runner of Samachar Post) that I was not interested in Judicial service but in political assignment.

Much thereafter, there was a consideration for elevating me to the Bench of Jammu and Kashmir High Court. A message was carried in this regard to the then Chief Justice of Jammu and Kashmir High Court, Justice Adrash Sain Anand (now in Supreme Court). When I came to know about it, I stopped immediately all further action in this connection.

I participated in second All India National Integration Convention held at Bhopal in 1983, a semi government three day function, organised by Society for Social Democracy. It was among others attended by selected University Professors, Advocates, Cine Stars, and politicians from various states of India. For all pratical purposes, it appeared to be a ruling Congress show organised with the help of government. It was therefore, a very grand function with all the facilities. I found that I was perhaps the only person invited to this meet from opposition parties throughout India. From the State of Jammu and Kashmir, Mufti Mohamed Sayeed, State Congress President (as he then was) and myself and Ms. Mahmooda, Joint Secretory Congress Committee from Delhi were invited. Mufti Sayeed was, therefore, surprised to see me there and repeatedly asked me how was I there and who had invited me. He was perhaps not convinced with my plain speaking of truth.

I myself was puzzled there as to how. I alone was honoured to have been invited to the function from the opposition in whole of India.

I was invited by the Convener H.N. Mota with separate note to the Intiviation letter and programme that my name was approved by its Executive. Mufti doubted my plain speaking. He told me to remain with him all those days as a gesture of closeness. But he himself remained busy outside the Convention with his activities.

I spoke in a session which was presided over by one time Chief Justice of India, Justice Baig. After my speech when I came down from the dais, film star Pareekshat Sawhney embraced me and said in excitement ", We have such a person", then followed immediately "you should have been Chief Minister of some State." He then disclosed to me his relationship with Kashmir, as son of great Cine star Balraj Sawhney who was resident of Wazir Bagh, Srinagar, he told me.

Among others Darbara Singh, one time Chief Minister of Punjab appreciated my speech and had become friendiy to me there and told various things about Dr. Farooq's meetings with Bindrawala and his anti national utternces there. Convenor H.N. Mota told me that every word of my speech went to Delhi. Many persons came around me to join Congress which I refused. A person came close to me with whom my contact lasted for 2/3 years. He wanted me to join Congress Party in all seriousness." You come with me to Indra Gandhi only once. She will lift you to skies, I assure you" he persistently persuaded me for long. This man is no other person than Vinod Misra, the Chief Editor of Hindi Daily Hindustan, New Delhi, now retired. He was a right hand man of Prime Minister, Indira Gandhi. I always avoided him. H.N. Mota also met me one day at Hotel Janpath, New Delhi, and discussed about my joining Congress Party. Instead of I entertaining him to luch there at the Hotel, he gave me lunch also there. But about my joining of Congress, nothing could be finalised and I avoided him also.

All these facts I have always cancealed from my collagues in Kashmir and I have very briefly made some of these disclosures today only. I was not mentally prepared to leave the socialist camp, knowing well that there was left nothing now in the amalgamated party and I had in that way no political future in Kashmir. There was in fact, no

remedy other than joining Congress which I did not.

Some of my Comrades in Srinagar, however, had learnt some thing about Congress pull to me which they welcomed and continuously pressurised me to join it. In their opinion that was the only way out to serve the people under the prevailing circumstances. But my political idealism and obstinacy always came in the way, though the pressure of my colleagues was mounting on me. That is why I did not tell them the facts about meetings or discussions, so that they should not compel me for joining Congress.

Meanwhile, Indira Gandhi was killed. I went to Delhi in connection with filing a case in Supreme Court. I went to the Hindustan Times Office and met Vinod Misra there. He had by now retired and was appointed as Advisor to the Hindustan. I was knowing that he must have felt displeased with me. He cursed me what an unfortunate man I was. I could not avail of the golden opportunity to make political rise. Perhaps to convince me about the seriousness with which he had talked to me and to lend crdence to what he had been persuading me for, Misra disclosed that Moulvi Farooq had also met him for joining Congress Party. He had talked about him but his admission into Congress was not approved. My case was, however, okayed but I did not join, Vinod Misra furhter told me that the time was still to join Congress and I should go with him to new Prime Minister Rajiv Gandhi only once. But he was not the kind of a person Indra Gandhi was. She could do anything to lift up to skies which capacity she had. But I had still an opportunity to make rise not, as big as it was previously. I again avoided him by saying that I would see him on my next visit to Delhi within a month. I, thereafter never met him. Lately I gave a telephonic courtesy call to him to expiate my wilfull defaults and for the grievance that he could have against me. My group was right in feeling neglected and disappointed.I had asked them to leave me alone and join any other party if they liked.

I did not realise that my colleagues might not be able to undergo the same quantum of sacrifice, hardship and the struggle, which I was used to, But even then they showed sincerity and persever. My decisions

were not, therefore, involving me alone but others also who were attached with me and had been wishing me well, but I was making them also to suffer with me from time to time for my selflessness and high idealism I adhered to and followed. I had been, therefore, not fair to them, I realise. And I could not do anything for them, particularly Muslim colleagues despite the fact they had pinned hopes on me. They are still dearer and nearer to me. I offer them and to all others who have tried to help me at various stages of my life or wished me well and meant for me better, my regrets as also my salutes. I know the sufferance of my colleagues was for being attached to me and my indifference was due to my extreme headstrongness, rigidity, obstinacy, honesty, sincerity and above all the fire that I am burning with. I am very outspoken, as such, while I boldly accept my inability or indifference, I do not want to conceal anything and dupe anybody. My life is an open book.

These are the times of alround corruptions, kick backs and seems. We are passing through Mafia age and politics has been criminalised. The integrity, honesty and sincerety have been converted into vices. In the light of these things, the approach and strategy needs sharp review and drastic change.

I recollect that I was allotted one big residencial plot in costly Government Colony of Rawalpora, Srinagar in 1974. It was allotted out of the Chief Minister's quota, by then Housing Minister of the State, Mufti Mohamed Saiyeed. I have no hasitation in acknowledging his obiligation in this regard. It is another thing that my ultra honesty came in my way in taking over possession of this valuable plot. An affidavit was to be filed, declaring that I had no house of my own. I had built a small house during those days elsewhere. As such, I could not swear a false affidavit, though the concerned persons in the Secretariat told me that was a formality and every allottee was filling the requisite affidavit in a routine manner, but I did not. Thereafter Sheikh Mohamed Abdullah came to power and confiscated the above plot of mine.

Some years later, another big residential plot in Government Colony Bemina, Srinagar was allotted to me by the government without

my knowledge. When I got the order of allotment, the same condition of filing the affidavit was there. I could not again file a false affidavit. That plot also must have been later seized by the governement and allotted to some one else. The people and the governments do not appreciate the honesty and truthfulness as they have changed the values of everything. Now-a-days, kakhs and crores of rupees are grabbed by the officials, high ups, Ministers (not all) and others. No body asks them anything. The standard of honesty has changed now. They command more respect and recognition in the society and governement circles. This trend must, however, be called a halt. And all those high ups tainted with this stigma must receive a deterrent punishment.

My love for people and the humanity does not know any bounds, nor is confined to any caste, creed, colour and religion, nor even to the geographical borders and boundaries. But it neither means to enslave Hindus or for that matter, people of any other religious faith, nor to have any extra territorial loyalties while being citizens of India or residing in India.

I consider even the people of Pakistan and Bangaladesh also as my brothers and sisters. The whole world is in fact one big family but madness to incite killings of the members of human race is a dangerous trend to be fought out, not as localised issue, but as global menace. The cause of humanity and the human beings is the supreme one which must be upheld and served.

I have always considered myself a soldier on the war front. The National Struggle Front founded by me will try to play its part. I will, therefore, continue my fight and struggle without giving in even before mightist of the mighty in the world in pursuing my objectives.

The fire in me is ragging. It is not extinguished. So far only smoke of this fire has been discernable. Whether it will simply consume me within, reducing me to a mere handful of ash or flames will leap out and energulf surroundings with light and heat, only time can say.

□

CHAPTER-I

Hindus And The Secular Movements
Part-I

The land of hills and mountains, brooks and streams, springs and lakes, orchards and gardens, with majestic shady trees and variety of flowers abounding ; eminating cool breeze of the mornings, nursing light of the days and soothing stillness of the nights, is what Kashmir embodies. It cools, it nourshes, it refreshes. It revives and bedecks life but not disarrays life. Praising Kashmir, a Persian poet has said :

Har sokhtah jane ki Kashmir dar aayad
gar murge kabab ast ba baal-w-per aayad.

(Every burnt body that came to Kashmir
turned fresh fledged even if a chicken roasted.)

No longer exists Kashmir which historians had known and visitors had seen. The Muslim fundamentalism and storm of terrorism, seperatism and isurgency, have destroyed many a thing, virtuous and fine, superior and sublime, which once Kashmir boasted of. The incriminatory elements denuded Kashmir of its spirit of humanity and civility and of religious tolerance and communal harmony. The native Hindus were, therefore, denied right to live and survive in Kashmir. Accordingly, a mass of people have been forced to quit and live in exile away from their home.

The dislodged community was not an insignificant religio ethenic mass of people in the Valley. One cannot conceive of Kashmir without Hindus, more specifically Kashmiri Pandits. When Kashmir is talked about, their role in different spheres and fields can hardly be ignored or underestimated. Their activities have been multifarious and

roles varied : Zest, they had to fight for the public issues and problems; zeal, they have shown in serving the Valley. They contributed their mite to foster communal amity and brotherhood and to bring about political reconstruction and public welfare in their land of birth and mirth.

The pace of Hindus in growth of population was not, however, the same as that of the Muslim Community. Although the number of Hindus was dimnishing comparatively, yet never impairing their sense and share of participation in public activities.

The Government, State and Central, however, always chose to play down their role and contribution. The Kashmir Muslim leadership sought invariably to bypass and suppress it; By and by, designedly they derecognized the Hindus and their role, which caused occasional aberrations and frictions. The Hindus were thus reduced to a position of square peg in a round hole, their intentions and efforts to uplift Kashmir, notwithstanding.

The revolutionary Kaul Brothers[1], Hargopal Kaul (Khasta), Salig Ram Kaul (Salik), Janki Nath Kaul and Hari Krishan Kaul were the first agitators and freedom fighters of Kashmir. It were they, who for the first time challenged the Autocracy in the late nineteenth century and raised the banner of revolt against the strong and powerful Ruler, Maharaja Ranbir Singh. They wanted upliftment of the people (Majority of whom was Muslims) and conferment of basic civil rights and liberties upon them including freedom of press and platform.

Hargopal Kaul, the eldest of the brothers, was arrested for openly preaching sedition and causing rebellion against the Maharaja. In order to harass and torture him during those dark days, the undaunted Hargopal was put in the iron cage, meant to haul up a lion or to transport the animal king from one place to another. He thereafter came to be known as "Sher-e-Kashmir". His arrest was followed by arrest of his second brohter, Salig Ram Kaul. Both were later convicted and

1. *The author is himself a descendant of this dynasty of Kaul brothers, whom a Kashmiri Pandit leader, Late Pt. Justic Jia lal Kilam had termed as "Great Kaul Brothers". Only a brief reference is made here about Kaul Brothers. A separate book is proposed to be written about them.*

sentenced to imprisonment for committing sedition. Bahu Fort was converted into special jail for them where they suffered long incarceration. They "were caught and put in Bahu Fort at Jammu where they underwent the severest torture."[2]

Salig Ram Kaul had managed to disappear from the jail after five years through a tunnel dug out by him and fled to Delhi, then came to Punjab. There he took a strong line of criticism against Kashmir Darbar. Later, Hargopal Kaul was set free after 6 years. Both the brothers were given rousing reception when they went back and reached Srinagar. Harogopal Kaul was given the appellation of "Sher-i-Kashmir" (Lion of Kashmir) by the people. They continued their endless struggle and served Kashmiri's in different spheres and in different ways.

During their relentless crusade, Hargopal Kaul was exiled twice from Kashmir alongwith his two brothers, Salig Ram Kaul and Janki Nath Kaul, one of them accompanying him each time. Irony is that the community of these pioneer freedom fighters has enmasse been exterminated in Kashmir, suffering exile continuously now, for the last seven years. It is sad and regretful that their ouster from Kashmir was not brought about under any government order but in pursuance of "Public law and order" of the Muslim fundamentalists and terrorists which they enforced against Kashmir Hindus indiscriminately.

Long after death of Sher-i-Kashmir Hargopal Kaul, a section of Kashmir Muslims started calling Sheikh Mohamed Abdullah as "Sher-e-Kashmir". But the other Muslims of Kashmir, particularly the followers of Moulvi Mohamed Yusuf Shah, never accepted the title of "Sher-e-Kashmir" to Sheikh Abdullah, nor ever called him as Sher-e-Kashmir. They nick named him as "Gaadeh" (fish) and generally called him Abdullah Gaadah (Abdullah fish).

In the first quarter of the current century also, the exclusive struggle of Kashmiri Pandits continued unabated, for achieving the basic civil rights,for the people of Kashmir. This movement was peaceful and intellectual in character. It was neither attended with fanatic overtones, nor did it assume any communal colour or posture or violent

2. *Mr. Saif-ud-Din Soz, in Times of India, 14-1-1994.*

outburst. Its main plank was "Kashmir is for Kashmiris". A talented Kashmiri, Shankar lal Kaul was the first Kashmiri to raise and plead for this slogan publicly and openly at All India Subjects Conference, held at Kanpur in 1923.

The Kashmiri Pandit intellectual movement[3] aimed at ameliorating lot of the people and their emancipation from want, hunger and poverty. The prominent Hindus who spearheaded this movement besides Shanker lal Kaul, included Prof. Jia Lal Kaul and Jia Lal Kaul Jalali. They were among the earlier post graduates of Kashmir in the twentieth century, who had completed their education from the Universities outside the State. They convassed their points of view through writings in the Press, mainly outside the State.

This whole political struggle of Kashmiri Pandits was on the secular footing and meant for over all welfare of Kashmir and its people. The Muslim community in Kashmir was then in the deep slumber. They had no leader either. The Hindu intellectual movement pressurised The Kashmir Darbar to place restrictions on employment of the outsiders in the State Government and to bar the outsiders from purchasing immoveable property in the State. Dogra Saddar Sabha, Jammu also favoured this demand subsequently. The then Revenue Minister of the State, R.K. Kaul, a Kashmiri pandit from Allahabad, supported them and accepted their proposal. The result was that in the rule of Maharaja Hari Singh, their efforts were crowned with success after a long compaign. The Maharaja agreed to impose this bar and framed accordingly State Subject Restrictions. He assented to the same in 1927. The State Subject Definition Notification No.1-L/84 dated 20th April, 1927 was issued. It is still the law and restrictions placed thereunder continue to be in force in the State, confering a special status and priviliged position to the people of Jammu and Kashmir. The Muslims were not so advanced as to appreciate and value the intellctual uprising of Kashmir Hindus and the seeds it sowed for future to benefit them more. It were the Kashmir Hindus as such, who strived to create awareness among the people and educated them about their basic rights

3. *It is only a passing reference and not a full examination of the movement.*

in order to partake of public affairs and the administration on the basis of merit and efficiency. They could hold immovable property without any purchasing power vesting in the outsiders.

> *"The flash point came when educated K.P. (Kashmiri Pandit) youths organised an agitation in 1925 in protest against the rapidly increasing recruitment of people from outside the State. It was this movement, lasting for six years, that finally led to definition of the term 'hereditary state subject'.....*
>
> *This law was a boon for the entire population of the State. In the words of P.N. Bazaz, "It was the result of a tremendous agitation started and successfully carried to fruition by several patriotic Kashmiri Hindus......ultimately the definition proved a boon for the members of the majority community.*
>
> *The 'State Subject' agitation of Kashmiri Pandits was an act of vision and far sightedness for, one can well imagine the kind of ethnic, demographic, economic and political scenario that Kashmir would now have presented without the law of hereditary State Subject in force. For this unmatched achievement, successive generations of Kashmiri's should be grateful to those dedicated and prescient K.P. youths who had launched an agitation during the twenties when it was not easy to challenge the might of the rulers."*[4]

The Article 370 of Indian Constitution confering special status to the State and so much exploited by Kashmir Muslim leadership, has nexus to the "State Subject " restrictions achieved by the Kashmir Hindus long before the Insturment of State's Accession to India was signed. It mainly revolves round the protection conferred upon the indiginous populations under the law of the said "State Subject Definition".

The irony, however, is that the same restrictions have been sought to be applied impliedly though, against the same very native Hindus, by the Kashmir Muslim leadership in power or without power, as if Hindus never belonged to the soil.

4. *Mr. Shyam Kaul, in Jan Shakti, Jammu February 22, 1994.*

The secular edge of this struggle was some how sought to be blunted and the vision blurred by some Muslims outside and inside the State, from the very beginning. Taking some inspiration from the "Intellectual' Movement" of Kashmiri Pandits, they started reacting adversely in order to capitalise on it for Muslims alone.

They, therefore, totally bypassed and ignored Hindus and highlighted the down troddenness of Muslims. They asked for more concessions and share for Muslims in all spheres than the ratio of education or merit warranted. The arch point they advanced was that the ratio of population and not the ratio of education or entitlement otherwise, was basis for entitlement to any concession, facility and right. As such, they magnified their grievances and demands purely on communal basis, instigating and promoting Muslim fundamentalism and fanaticism. This adverse, contradictory and negative trend and approach of Muslims found subsequently clear and concrete expressions in varius ways and at various times. In July 1931, it assumed the shape of violent and massive anti Hindu outburst and caused their holocaust.

As a consequence thereof, two political parties, Muslim Conference and Sanatan Dharam Yuvak Sabha, representing seperately the two communities, came into being on communal lines. The objective of both tine parties was to protect and safeguard the interests of their respective community.

After mid nineteen thirtees, the Hindu leaders offered co-operation to the leaders of Muslim Conference on broader public issues, irrespective of considerations of caste, creed and religion, notwithstanding the conflicting policies of the two contending communities. They also later suggested forming of a common platform to voice the common demands and seek their fulfillment jointly.

Subsequently, on conversion of Muslim Conference into National Conference in 1939, Yuvak Sabha leaders like Kashyap Bandho, Jia Lal Kilam, Shyam Lal Saraf and Dr. Shambhu Nath Peshin formally joined National Conference, headed by Sheikh Mohamed Abdullah. Out thrown and disowned Yuvak Sabha leader, Prem Nath

Bazaz also joined it. Among other prominent Hindus who joined National Conference were Shambhu Nath Kaul[5], Dhina Nath Bazaz, Prithvi Nath Kernel, Janki Nath Kukroo, Madan Lal, Saroop Nath, Shyam Lal Watt and others. It was then joined by a host of other Hindus Sikhs including D.P. Dhar, Rugh Nath Vaishnavi, J.N. Zutshi, R.C. Raina. Dr. Jagar Nath Zutshi, Kashi Nath Aima, Dr. Gopi Nath Chagtoo, Reshi Dev, Sant Singh Teg, Bedri Nath Kaul, O.N. Dhar and S.N. Bhatt etc. In Jammu region also some Hindus/Sikhs joined National Conference. Besides, veteran Budh Singh, Om Prakash Saraf, Bansi Lal Suri and Girdhari Lal Anand joined it. Later Master Roshan Lal, Trilok Chand, Krishan Dev Sethi, Satya Bhushan and Nand Kumar Vaid came within its fold. Hindus/Sikhs joined National Conference with the purpose of secularising Kashmir politics and contributing to the struggle for political emancipation.

The cream of Muslim leadership was in National Conference. The leaders included; Sheikh Mohamed Abdullah, Bakshi Ghulam Mohamed, Mirza Mohamed Afzal Baig, Ghulam Mohamed Sadiq, Ghulam Mohi-ud-Din Karra, Sofi Mohamed Akbar, Shikh Mohamed Akbar, Maulana Mohamed Syed Massoodi, Choudhry Ghulam Abbas, Raja Mohamed Akbar Khan and Mian Ahamed Yaar. All were from Kashmir Valley excepting last three, Choudhry (Jammu City) Raja (Mirpur). They belonged to former undivided Jammu region. Choudhry, however, soon retracted and rejoined Muslim Conference. Mian, also a non-Kashmir, hailed from Muzaffarabad area which was previously a part of Kashmir region. After Pakistan raid in October, 1947, Mirpur and Muzfferabad areas came under occupation of Pakistan alongwith some other parts of the State.

In the "Quit Kashmir" movement launched by National Conference in 1946, Sheikh Mohamed Abdullah and Shyam Lal Saraf were treated by the government as the two prime accused. They were, therefore, prosecuted and tried jointly for sedition. A number of Hindu activists of National Conference apart from Muslims courted arrest after delivering hard hitting speeches against the Maharaja and his

5. *He was father of the author and founder, editor of the Vakil, which was considered a nationalist newspaper but was banned twice by the popular government after National Conference came to power in 1948.*

Autocracy. Prem Nath Jalali made inflamatory speech at Hazratbal shrine. He was convicted and sentenced to six months imprisonment and Rupees Five Hundred fine. After serving this term, he was released but again arrested and detained till all were finally released. From Hazrathbal rostrum, N.N. Raina also addressed a Friday Muslim congregation and got arrested. He also was detained for a long period. Moti Lal Misri, Reshi Dev and Hirday Nath Saraf delivered their anti Maharaja speeches in precincts of Khanka-i-Moula mosque. They all were convicted and sentenced to six months imprisonment and fine of Rupees five hundred.

Many other Hindus of note, courted arrest after delivering speeches or were taken into custody and put under detention solely on the ground of being National Conference leaders or activists. They included : Kashyap Bandho D.P. Dhar, whose Jagir (Landed estate) was also attached by the government, J.N. Zutshi, R.C. Raina, Someshwar Nath Kaul, Salig Ram Shangloo, O.N. Dhar, Pearay Lal Karihaloo, J.N. Kukroo, Sham Lall Shalla, Saroop Nath, Vedh Lal Parguchi, (was shifted to Muzaffarabad jail for creating rowdyism in Srinagar Central Jail) B.M. Kaul, M.K. Kaul, J.L. Tameeri.

The other Hindus detained, like Damodhar Bhat (Hanjura) and Brij Nath Kaul, were arrested in 1938 also when Hindus had made a joint front with Sheikh Mohamed Abdullah's Muslim Conference. This political co-operation was forged on the prime demand for grant of "Responsible Government under the aegis of Maharaja". It was a prelude to renaming Muslim Conference as National Conference in 1939.

Among the Collegians, the Communist students were in the Students Federation and the Socialist student were in the Students Union. The leaders of the Communist group of students were Moti Lal Misri, Pran Nath Jalali and also Pear Ghiyas-ud-Din. Someshwar Nath Kaul was the leader of socialist group of students and also Mohamed Yusuf Saraf.[6]

Like Communists, the Socialist students were also working

6. *Mr. Mohd. Yousuf Saraf belonged to Baramulla but had moved to Mirpur (now Pak occupied area) in 1947. He retired as Chief Justice of "Azad Kashmir" in Pakistan. About two years back, he has passed away there.*

with National Conference. Besides Someshwar Kaul, other active Socialist students included : D.P. Kachru, Sumindra Saroop, R.P. Raina, Hirday Nath Nehru, Makhan Lal Raina, Omkar Aima, Brij Nath Kotru, Mohan Lal Jailkhani, Moti Lal Jailkhani, Poshker Nath Kaul and also Mohamed Yousuf Dar and Ghulam Mohamed Nawshehri. There have other socialists also been like Teja Singh of Bagh (now Pak occupied Kashmir) Amar Singh "Nidar" of Muzafferabad (now Pak occupied) Nidar was killed there during 1947 Pakistan raid and Satya Bhushan of Poonch. The patron of Socialist students was Dwarika nath Kachru (who became Privats Secretary to Jawahir Lal Nehru but died later, in an air-crash in Kashmir) and also Kashi Nath Bamzee. However, almost all of them later got absorbed in service here or there. I was a junior school socialist student worker and continued all along and through thick and thin in politics with uncompromising tenacity and unbending regidity.

The majority of Hindus in Kashmir, however, was not with National Conference and did not favour the "Quit Kashmir" slogan. All Muslims of Kashmir Valley also were not with National Conference, much less with "Quit Kashmir" movement. It was not, therefore, so popular and successful a movement. The Muslim supporters of National Conference had been behind the curtain, fed on communalism. For instance, they covertely preached that the Maharaja was a Hindu. As such, abhorance was sought to be created not against the institution of Maharaja and his antocratic rule but against Hindu Maharaja explicitly and against the Hindus implicitly. It sometimes degenerated the political ethics and trends and gave the people moments of anxiety, uncertainty and tension.

The fight of National Conference was, therefore, made to appear to a common Muslim as fight against Hindu rule and "Hindu domination" and not against a political institution and the political system of governance. The Muslim masses and the political workers were never educated, nor was ever intended, as to what the real political issues were to fight against on secular basis. The National Conference did not bother to enlighten them that the movements it lauched, were against the political exploitation and system of governance, but not

against the Hindu Maharaja and the Hindus. It did speak about nationalism and secularism over ground superficially but under ground a different current was running. The double faced policy was not unusual with the leadership of National Conference which has been inherited by its successive and succeeding leaders.

The masses were, therefore, confused always and the Muslim leadership could shift their vital political stands from time to time without facing much resistance and difficulty. The leaders could, as such, swing and swing here and there and from one direction to another and from one centerdirection to another, which has proved disastrous for Kashmir.

In this political backdrop, association of Kashmir Hindus with National conference was not an ordinary political venture. It has been a meaningful and important chapter of Kashmir political history, Many of them sufferred arrests, detentions and hardships in connection with National Conference and its movements. They have not been men of straw, unlettered and ignorant, who like many Muslims, followed the leadership of National Conference, ignorantly and in blind faith. They were not to be treated and driven like a herd of cattle. They were the persons who either were from the intelligentsia or had some standing. Their alignment with National Conference was, therefore, on the basis of political conviction and not any tactical device. The formation and existence of National Conference has, however, been non pragmatic and opportunistic and strategic. The net result has been, therefore, not any positive achievement but a political wilderness.

It may some how sound a political pardox that the people in Jammu region as also in Gilgit Agency of frontier (now in Pak occupation) with overwhemling Muslim majority, were totally indifferent to the Quit Kashmir movement. The active association of many members of the Kashmir Hindu community with National Conference and their participation in its movements was, therefore, a hall mark of their propensitic liberalism, mental adventureism political idealism and advancement. Their outlook was obviously wider. On this score, these Hindus had forged unity with National Conference and pinned hopes on its leadership in evolving and following non-communal

politics and healthy policies. But that was not to be.

Unity of political thought and action had to be displayed and set as a model before the public. But the Muslim leadership of National Conference invariably and at crucial times emphatically, showed divergence than unanimity and still wanted the Hindus to act, follow and show unity and community of interest on the resultant decisions that sprouted from their divergent and differing views and opinions. This leadership and for that matter, all Muslim leaders in Kashmir always expected too much from the non-aggressive Hindu community of Kashmir.

Ninteen forties had been a decade of hectic and multifarious political activities in Kashmir. Among other things, Kissan Conference was launched. Its President was Abdul Salam Yatu, a farmer himself, but the spirit behind it was Prem Nath Bazaz, who had in fact, organised it and extended his full patronage to it. Both, National Conference and it were at logger heads. At some places in south Kashmir, the supporters and sympathisers of both the parties were in fighting mood against each other.

Kissan Conference started preparations for holding a grand Kissan Conference in 1945 at Fatehpur, District Anantnag. National Conference did not wish it to succeed. The Party tried to communalise the situtation there in attempt to dissuade the farmers and other villagers from helping the organisers or participating in the impending Conference. A team of National Conference workers from Srinagar went to Fatehpur under the leadership of one Quraishi[7]. During his speech, Quraishi castigated Muslims for playing in the hands of Hindus and asked the farmers to exercise caution and beware of Hindus. This preaching of communal disharmony was not liked by the villagers. Later, as the scheduled date for Kissan Conference was approaching nearer, Quraishi again went to the above place along with some National Conference activists. They were joined by another team of National Conference workers from Anantnag, led by Ghulam Nabi (who later

7. *Mr. T.N. Bhat, Ex. Director Land Records of the State, hails from Fatehpur and has confirmed it. He is the grand son of Late Sh. Shive Ji Bhat of Fatehpur.*

popularly came to be known as Nab ji) to hold a public meeting there. After the stage was set and the public meeting was to start, the villagers pounced upon them and they all had to flee and take refuge in some other place before they could go back. It was obviously, reaction to his last speech delivered there, seeking to create wedge between the two communities.

Kissan Conference was held on a grand scale at Kaba Marg, Fatehpur, lasting for three days. In this large congregation of farmers and villager, a vow was taken to rebuild Kashmir. It was rumoured that Prime Minister Ram Chandra Kak's hand was behind this Conference to counter National Conference, and that government had spent Rs. thirty five thousand in connection with this Conference.

The Conference was a great success and greater was its impact on the farmers and villagers. It boosted communal harmony, though the peasants were all Muslims. An elderly and respectable Numberdar of Fatehpur, Shiv Ji Bhat was requested by the Muslims to lay down the foundation stone of an important Muslim mosque there, which he did gladly. The selection of a Hindu by Muslim gathering for doing this pious and sacred act, is a unique instance in the whole world. It also is an extraordinary example of Hindu Muslim amity and unity, reflecting their strong ties of fraternity on a comman man's level in Kashmir. This mosque is known as Hazaratbal Fatehpur and exists there even today.

Confrontation between National Conference and Kissan Conference increased. Ashashjipora bridge near Anantnag, town, had become the dividing boundary between the two strong centres of the respective parties. In the area falling on the one end of the bridge, National Conference held the fort and, on the other, across the bridge, command was in the hands of Kissan Conference. Each side would check if the man of opposite party had entered and transgressed their domain. One day in 1946, a respectable person of Anantnag, Samsar Chand Kantroo crossed the bridge to other side to visit his land nearby. He was detained enroute by the activists of Kissan Conference and wanted him to prove his affiliation with them before he could be allowed to proceed ahead. On his failure to satisfy them, he was badly

manhandled, as a consequent thereof, he remained confined to bed for several days.

One of the serious confrontation between the two parties had taken place at Dyalgam. National Conference had gone there with full force under the leadership of Mirza Mohamad Afzal Baig to hold a public meeting there. But they failed and gave in before the tough offensive launched by Kissan Conference. A Village woman thereupon, brought her "Kassaba"" (headgear) and put that on the head of Afzal Baig, just to demonstrate their defeat. About this incident a newspaper had written sarcastically :

Kassaba Hat kay badlay diya dehkan zadi nay

(Instead of hat kassaba was put on his head by a peasant girl)

After National Conference came to power in 1947, the vindictive measures were taken by the new government and National Conference workers, at various places and in different ways. The case of Shive ji Bhat Numberdar Fatehpur was one of them. Anantnag unit of National Conference demanded expatriation of Shive ji Bhat to Pakistan for his past secular role. Abdul Salam Yatu had already crossed to Pakistan. Prem Nath Bazaz and former Prime Minister Ram Chandra Kak were already arrested and detained in jail. It created a wave of insecurity among the Hindus in the concerned areas of the country side.

In the alternative, National Conference demanded Rs. 1800/- from Shivji towards his expiation. Shive ji Bhat, a man of ordinary means, had to collect every penny from whatever quarter he could, raised the amount of Rs. 1800/-. He handed over this huge amount, as it then was, to National Conference. Thus he bought back his right to stay and live in Kashmir.

Trade Unionism was not unknown in the past in Kashmir. It took a concrete shape and firmly surfaced in 1924, when the workers of Silk Factory Srinagar, went on unprecedented strike. It has been the longest ever strike in Kashmir which lasted for six months. The Director of the Factory was a Britisher. Quite a good number of Kashmir Hindus were working in this factory who disseminated the new ideas about the workers' rights, including the one of their participation in Management.

One of their ring leader was Neela Kanth Dhar. The demand raised was that the workers would run the factory, which automatically meant removal of British Director also. It was not acceptable to the owner of the factory.

The Silk Factory was not a Government factory as it is now, but a private factory which was exclusively owned by Hari Singh (who later became the Maharaja), a fact less known in Kashmir. This Silk was presenting competition to the Silk manufactured in England. As such, the British Government did not like this factory to grow and remain in competition. They wanted to give it a set back. As against this, Hari Singh wanted to have further improvement in its quality by getting advanced technical know how. He, therefore, sent Tara Chand Wazir, a Kashmiri Pandit, to Italy to learn the new techniques in the line.

Kashmir Muslim leaders meddled in the matter and communalised the issue. They exploited the situation for gaining some concessions for Muslims and ignoring the Hindus, nay trying to deprive them even of their legitimate rights and claims. They therefore, jointly submitted some representations and memoranda to the Viceroy of India and the Resident in Kashmir, clamouring for bad condition of and discriminations to muslims. They wished to appropriate everything for Muslims. The Muslim leaders have invariably been susceptable to this type of thinking. The British Government was also favourably disposed towards them.

As such, this secular movement was divided on communal lines and the Muslims converted the demand raised, into one of debarring Kashmiri Pandits to become head of the Management. The Viceroy and the Resident intervened in the matter of private property of Hari Singh and pressurised him to accept Muslim demand and give them more concessions. The Muslim leaders peferred obiviously, even a Britisher over the native Kashmiri Pandits. Such a strong movement which involved sacrifices of many employees, ended almost in fiasco because of the communal divide, which satisfied Muslim leaders.

Since Kashmir was not industrialised, as such, there was hardly any trade union activity thereafter. It was, however, in 1942 that a communist leader from Punjab and Vice President All India Trade Union

Congress, Fazal Illahi Qurban[8] visited Kashmir and tried to initiate some trade union activities. Communists wielded some influence with the National Conference leaders and so he enrolled some communist workers. The trade union activities, however, remained mainly confined to labour class and did not penetrate then into the ranks of employees.

National Conference embarked upon organising its labour wing in Kashmir named Central Labour Union. Bakshi Ghulam Mohamad took keen interest in this work. He organised Kashmir Motor Drivers, Association which proved as backbone of National Conference in 1943/44, Pran Nath Jalali was appointed Chief Organiser of this Union. Ghulam Mohiud-din Karra was its President. Jalali replaced S.K. Raina and reorganised Karan Singh Wollen Mill Mazdoor Union, Srinagar. This concern, owned by P.K. Wattal, a Kashmiri Pandit from outside, was taken over by the government in 1947, besides the Match Factory, Baramula owned by Raja Opindera Krishan Kaul. The popular government did not allow Hindus to own and manage any more, commercial concerns and establishments in Kashmir. Their commercial concerns like the above, were commandered by the government after 1947, under one pretext or the other.

Himself a Junior College student then, Pran Nath Jalali has been the first, perhaps the only dedicated trade unionist in Kashmir, who abandoned his home and dedicated himself to the labour cause. He resided in the office of Mazdoor Union, lived and worked there for the wage earners, made the office centre of his political and trade union activities. Jalali was connected with various labour unions and imparted education to the workers about trader unionism. He developed the concept of labour trade unionism in Kashmir and did a pioneering work in this field. Peer Ghaiyas-ud-din also took part in trade union activities.

Silk Factory had a powerful Mazdoor Union with Ghulam Mohamad Bhat as President. He was known as Dange of Kashmir. Government Silk weaving Factory had also a Mazdoor Union with Ghulam Mohamad Dar as President.

8. *The Awami Mauzin, Jammu December 30,1995. There appears some conflict about the correct name of this leader. Some put it Qurban Illahi, as has come to the authour's knowledge earlier.*

Sweepers Union was for the first time organised by O.N. Dhar It was a period for formation and establishment of functional labour unions covering wide range of wage earners. Sona Banday, a sweeper office bearer of the Union, was considered a fine orator in Kashmiri.

After independence in 1947, Jia Lal Tameeri was President of Kashmir Central Labour Union for many years. After his death Piaraylal Karihaloo was President of this Union for several years. He also worked in Indian National Trade Union Congress , Kashmir branch, for couple of years. Another trade unionist Shambhoo Nath has been General Seceraty of State Central Labour Union for some years.

I also was initially connected with Trade Unionism and worked on behalf of Hind Mazdoor Sabha, a Socialist Labour Wing. Its two leaders, Khaliq Ahamed Khan and Brij Mohan Toofan particularly wanted me to work for HMS in Kashmir. There was employees strike in J&K Bank, Srinagar in 1960s. I joined it as HMS representative.

I had organised parallel Barbers' Union (the original Union was pro-establishment) and one Ghulam Qadir Hajam took keen interest in it. I organised workers working at Dry Cleaning and Cycle shops. I took several classes of the workers to educate them. But any political aberration here and there in Kashmir, would give them a jolt and they would waver, stating that Kashmir's future was not finally decided.

George Fernandez also asked me long after to work for his Hind Mazdoor Kissan Panchayat. I did not take any initiative in it because of my past experience. I felt that the time was not ripe yet for workers to affiliate with any (National) Trade Union other than the labour wing of ruling party.

Hirdhay Nath Wanchoo also worked with Sweepers Union in post independence period. He was General.Secretory of All India Trade Union Congress, Kashmir branch , when he was killed at Srinagar by some terrorists in December 1992.

Pushkar Nath Kaul Vakil[9] organised and headed Government Transport Employees Union in mid nineteen fiftees, with Noor

9. He is also a seion of the family of Kaul Brothers.

Mohamed Khan as General Secretary. He took initiative in organising other government employees also. A new dimension was added to the trade union movement of Kashmir. Trade Unionism in government services started entrenching firmly in Kashmir.He required the government "to make the State Transport Department permanent[10] " and "to appoint under Labour laws, a Labour Welfare Officer for the benifit of Transport employees[11] ." and raised various other demands.

The activities of Transport Employees Union entailed at one time hardships for the employees concerned and their salary was withheld by the government. A very powerful and important Trade Union, " All Jammu and Kashmir Government Drivers Cleaners and Technical Workers Union"[12] came forward in defiance to the government wishes and offered financial and physical help to Transport Union. It is for the first time in the Services Trade Union history of Kashmir, particularly when state despotism was looming large in Kashmir that a Union came out openly to help the other victimized Union. It also showed, for the first time awakening about services trade unionism fostering a feeling of faraternity among the government employees This has been the initial development of Employees Trade Union in Kashmir.

The communication No. 35134 dated July 3, 1959 sent by Gul Majid Khan, President Government Drivers Union above said, to Pushkar Nath Kaul Vakil, President Transport Employees Union aforesaid is therefore, a land mark in the history of government employees Trade Union movement and its development in Kashmir. The letter reads :

" We are sorry to learn that pay of the most of the serving employees has been withheld for unknown reasons. We sympathise with you in the matter and feel that this is great injustice with the honest wage earners. Please let us know

10. *The Khidmat, July10, 1956,*
11. *The Martand, August 7, 1956.*
12. *This Union was the most powerful union. The State Government Transport Department had the largest fleet of buses and trucks in the State, plying on different routes as the road transport was the only main means of Transport in the State.*

the total amount you require to be put at your disposal for disbursement among the members. Any further financial or physical help will also be renedered on demand."

Pushkar Nath Kaul was also the founder President of All State Low Paid Employees Union with Hafiz Ullah Baheeqi as General Secretary. After merger of this Union with All State Low Paid Employees Federation, headed by its President Mohamed Abdullah Shah, Pushker Nath Kaul worked as its General Secretary for some period.

Sampat Prakash has also done much work in the Trade Union movement of government employees in the State. Abdul Majid Khan's contribution in the employees trade union movement also is worth notice. He also has done a pioneering work in this regard.

In the Central Government Employees Trade Union movement (Posts and Telegraphs) K.L Moza is an outstanding figure. He not only worked for Postal employees in Srinagar, but also outside the State and mostly so. He worked for 50 years consistently in the movement in various capacities and rose to the position of Secretary General All India Postal Employees Federation.

This very Hindu community has been driven out from the paradise. Could the Persian Poet have imagined and envisaged plight of the exiled community any better than the chicken roasted, he has referred to.

❐

Chapter-II

Hindus And The Secular Movements

Part-II

A local defensive force was organised in the form of Peace Brigade, to meet the situation created in the wake of Pakistani invasion of Kashmir in october, 1947. It paved the way for establishing National Militia, an armed organisation to combat Pakistan and help Indian army to push back the raiders across the State borders.

Ghulam Mohamad Sadiq was in charge of Defence during the Emergency period of raid. As such, Communists penetrated in Militia, for, they were already working in National Conference. It were in fact, Communists in National Conference, who organised National Militia in 1947. The purpose of organising National Militia was two fold. Firstly, to fight back Pakistan and Pakistan elements. Secondly, to impart political education on the members of this force so as to use them politically as well. Initially, the Communists controlled National Militia and designed to convert it into a Red Army to advance the cause of communism which in Kashmir included opposition to Pakistan's raid and communal elements as also outright support to Kashmir's Accession to India. What the Communists could not do against Pakistan in rest of India, they sought to accomplish that from the soil of Kashmir. In view of this ploy, two wings of the officers were created in National Militia. One wing was concerned with its operational part and the other was its political wing. Partly out of sympathy and party to make Kashmir their foothold, some Communists from Punjab and other parts poured into Kashmir. A Punjab Communist leader, Raj Bans Khana[14] held the rank

of Commanding Officer - Political, in the National Militia. Some other officers of National Militia included :

Col. Sher Jung-Commanding Officer-in-Chief
M.L. Misri - Commanding Officer - Political
Pran Nath Jalali - Commanding Officer - Political

N.N. Raina, R.C. Raina, H.N. Sarraf, Omkar Nath Trichal, Pushkar Nath Zadoo, Dr. Shanker Raina, Soom Nath Beerah, Badri Nath Shera, Jagar Nath Bhat, Brij Mohan Kaul, P.L. Karihalloo, Moti Lal Bhan, Nand Lal Dhar, Moti Lal Phophoo, Apurab Soom Nath and Suri, Biswas, Jagar Nath Bhan and Harbaksh Singh.

About six hundred Kashmir Hindus were working in National Militia initially to fight out Pakistan and her creed and agents. Many of them were owing allegiance to Communist Party and some of them lost their lives in operations. Pushkar Nath Zadoo had gone upto Pakistan Army Head Quarter in Teetwal side. He was killed there by the opposite army. There is, however, conflicting version about his death : It is alleged that he was killed there by Indian Army itself with a view to purging National Mitilia of Communists[15]. The Communist role during Indian freedom movement and in partition of India, might have raised hostile thinking and adverse opinion regarding Communists in the Ministries of Home and Defence, resulting in the above action, condemnable if correct. As far as the Accession of Kashmir to India was concerned and to combat the Pakistan game plan in Kashmir, the role of the Communists whatever the factors, had not been bad to have had invoked and justified such reaction and extreme step.

In Kishwar area (in Doda District) some massacres occured at a few places in 1947 between the two communities and the tension had prevailed there. Sheikh Mohamad Abdullah as Head of the State Administration, specially sent a contingent of National Militia there comprising mainly Kashmiri Pandits, to normalise the situation. While

14. *Mrs. Usha, sister of famous film star Late Balraj Sahney (of Wazir bagh, Srinagar) and married to Raj Banskhana, also had been an activist in Kashmir.*
15. *The Senior Communist stalwart of Kashmir Mr. Pran Nath Jalali is also of the same view and endosses it.*

restoring and maintaining communal harmony and peace, Commander Soom Nath Beera got killed there. It showed the trust Shaikh Abdullah had in the sincerity of Kashmiri Pandits and in turn, they did not hesitate to do their duty honestly and execute the task even at the cost of life.

A number of Muslim political activists also helped in organising National Militia and worked in it. They included Peer Ghiyas-ud-Din, Commanding Officer, Maj-Mohamad Afzal, Captain Aziz, Mohamad Yousuf, Ghulam Ahmed Baig, Lt. Ghulam Mohd. Dar and Mohamad Sayid.

Alongside creating defensive force, the other intellectuals, poets and writers organised and formed Cultural Front. It was to resist any onslaught on Kashmir Culture in the face of Pakistani's invasion and to boost it up so as to spread it and convey its message of peace, communal amity and humanity. The Cultural Front, therefore, fought Pakistan and her ideology on cultural level. It was founded by the famous Urdu short story writer of Kashmir, Prem Nath Sadhu "Pardesi". He was also its Convener. Besides Perdesi, the reputed peace loving radical poet of Kashmir, Dhina Nath Koul "Nadim" short story writer, Soom Nath Zutshi, Mahinder Raina alongwith others worked actively in Cultural Front. Shivedhan Singh Chouhan, Sheela Bhatia, Rathindar Lakhwara, Santosh Lakhwara and Usha also played important role in making this cultural movement a success. It was fight against invasion on all fronts. Gents and ladies worked shoulder to shoulder to make defence on all fronts and in all spheres of activities. It was all embracing and marvellous. Kashmir was in full bloom with the concerted efforts and talent of all communities put together. The Muslim counterparts who participated enthuseiastically in the activities of Cultural Front, included famous Kashmiri poets Ghulam Ahamed "Mehjoor", Mirza Arif Baig, Abdul Satar Aassi, Noor Mohamed Roshan, Qaisar Qualandhar, Rehman Rahi, connect with it other lines of the next page.

Aariz and writers like Mohi-ud-Din Akhtar, Ali Mohamed Lone, Aziz Haroon.

In "Yeh Kashmir Hamara Hai" (This Kashmir is ours) Pardesi wrote :

Kadam Kadam Bharayangay Ham Mahaz Par laraygany ham

(We will advance step by step and fight at the Front.) This and other immence material was to boost up the Kashmiri youth and to counter Pakistan which ultimately caused demoralisation in the ranks of Pakistan and pro-Pakistan elements in the State. The music of this famous song was jointly prepared by Pran Nath Jalali and reputed singer Musician, Mohan Lal Aima. It portrays the people's movement in Kashmir against theocratic Pakistan and her invasion of Kashmir and also their unquestioned support to Kashmir's Accession to India. At the same time, it also depicts, the no less important role played and contribution made by Kashmir Hindus therein alongwith other communities of Kashmir. Others who joined this movement later included Arjan Dev Majboor, Moti Lal Saqi, Vasudev Reh and Tej Bhadur Bhan. The Artists like Ms. Kishori Kaul, Trilok Kaul, Bansi Parimoo and Ghulam Rasool "Santosh" also came within the fold of this movement in Kashmir.

After setting up Radio Station at Srinagar in 1952, Prem Nath "Pardesi" did a laudable work through Radio also in disseminating message of Kashmir and countering false propaganda of Pakistan against Kashmir. After his demise, the stage artists and script writers like his son, Soom Nath Sadhu, and Pushkar Bhan contributed much to the movement through the media. Jagan Nath Saqi and Makhan Lal Saraf had no mean contribution in the field of acting. Nizam-ud-Din (Nizah Sahib) and Marium Begam. (Agah Bayeh) and Pushker Bhan (Mameh Pyadesh) were the supper stars.

Jagan Nath Shivepuri continues to be the master musician. Mohamed Abdullah Tibatbakal and Ghulam Ahamed Kalinbaff had also carved out their niche in the field of music, as Shambhu Nath Sopory and his son Bhajan Sopory have. Mohan Lal Aima, a popular singer, Musician had also contributed much, particularly in folk music. The folk singer and dancer, Gopi Nath Bhat (Guppa Bachya) has been the outstanding finger in his field. Abdul Ghani (Ghani Bachya) also made the mark in this line later.

Seeing the despotic, dictatorial, arrogant behaviour and

functioning of Prime Minister Sheikh Mohamed Abdullah in early fifties, the Communists in National Conference became fed up with him. They opened a front under the cover of Peace Conference. Its President was appointed Revenue Minister, Mirza Mohamed Afzal Baig and Vice President Pran Nath Jalali. Baig was not, however, favourably disposed to communists. Meanwhile, government wanted to have procurement of surplus paddy. The authorities asked the peasants to deposit surplus paddy with the government. It created discontent among the cultivators / tenants. Under the garb of Peace Conferences, the Communists in fact held peasant's Conferences, mostly in South Kashmir to foment the unrest and channelised their grievances against the government. Abdul Kabir Wani and others raised the slogan "Sar daingay Surplus nahi daingay" (We will give our head but not surplus). Motil Lal Misri, Pram Nath Jalali, Reshi Dev, Damodher Bhat, Peer Ghiyas-ud-Den, Abdul Rehman Rahat and others worked for these Conferences.

The first Peace Conference was hled in 1951 at Chawalgam (Kulgam). G.M. Sadiq was to have attended it, but the Revenue Minister, Mirza Mohamed Afzal Baig felt offended on this type of political move of the Communists. He said that a movement was being organised against procurement (Mujwaza) under the cover of Peace Conference. The matter was discussed on Ministerial level. Syed Mir Qasim the then P.A. to the Revenue Minister Afzal Baig met Sadiq and gave him a communal version of Peace Conference presenting it wrongly as a reaction to Abolition of Land Lordism without compensation. Sadiq was, therefore, successfully persuaded by the government not to attend the Conference. And Sadiq in turn pressurised Damodhar Bhat Hajura and Reshi Dev not to attend it. This Peace Conference was held, but was disturbed by 23 Armed Policemen and the organisors including Abdul Rehman Rahat were severely beaten up. The another Peace Conference held subsequently was, however, attented by G.M. Sadiq also.

Very less people know that the winds of Naxalism had flown over Kashmir also. After early nineteen sixtees, the spirit of Naxalite movement of Bengal was imbibed by Kashmir youths. Consequetnly,

Naxalite movement cropped up in South Kashmir. This movement was above the considerations of caste, creed and religion. They thought that power to uplift the down trodden and common masses could be seized through arms only. "The power flows from barrel of the gun", they believed. They professed the creed of political violence in principle, without, however, actually striking violence and terror. It was a notable student / youth movement.

The student leaders Chaman Lal Kantroo, Janki Nath Zainpuri and Mohan Lal Raina, have been among the first rank leaders of this movement in Kashmir. They were arrested and detained for years under Defence of India Rules (DIR). The other hardcore activists of the movement comprised Rattan Lal Kandroo, Shiban Krishan Razdan, Shadi Lal Handoo, Moti Lal Bakshi, Maharaj Krishan Bhat and Prem Nath Raina Khanabali. The latter had a premature death. They all have sufferred long detentions under DIR.

Another activist of the movement has been Prithvi Nath Jotshi. In Central Kashimir, he preached the peasantry as to how the nepotism and favouritism worked injustice to the tenants/cultivators through connivnance of the government. His main contention was that the provisions of the Big Landed Estate Abolition Act. (under which agriculture land from the landlords was taken by the State Government withour compensation and given to the tenants, were not applied fairly. Lands which otherwise should have escheted to government for distribution among tenants were retained by influential Muslim families. Jotshi also suffered detention. A trade union leader Sampat Prakash was also connected with this movement. He also suffered long detention. The other Hindu youths connected with the Naxlite movement included Bhushan Lal Matoo, Makhan Lal Goja, Badri Nath Pandit, Makhan Lal Nugami, Ashok Kumar Nugami, Ashok Kumar Mahnoori (demised prematurely) and Bhushan Lal Bhat. It was not a movement run by Hindus only. Quite a good number of Muslim students/youths were intimately associated with it and they were also on the vanguard of the movement. They included Ghulam Mohamad Malik, Mohamad Yousuf Rathar Tarigami, Ghulam Nabi Malik and Ghulam Nabi Adigami. Abdul Kabir Wani (demised) a life long fighter, was also connected with this

movement. All these persons have undergone long detentions. Peer Abdul Aziz (demised) was also in this struggle. In Jammu, Ram Piara Saraf, Krishan Dev Sathi and Joginder Singh were leading the movement. Later Saraf and Sethi fell out and formed seperate groups.

Barring Chaman Lal Kantroo, all the aforesaid persons from Valley of Kashmir are displaced, living mostly in Jammu. It is so sad that these men of struggle also could no longer live in Kashmir due to on going insurgency and armed Muslim terrorism despite their secular outlook. "When I and my colleagues toed the line of militancy, masses did not support us", Kantroo is reported to have pleaded with the militants. He was obviously not averse to militancy, he explained to them. Accordingly terrorists allowed him to stay there.

Broadly speaking, the Naxalite movement was a precursor of the current large scale Muslim terrorism in Kashmir. It provided a theoretical base and belief to the secessionists, fundamentalists and other anti India elements in the cult of militancy. There have been no doubt, instances of Pakistan sponsored acts of violence and terrorism in earlier times also right from 1947. The basic difference between the two, however, is that the Naxalites did neither strike terror, nor communalised situation. They were secular in practice and profession and worked for uplifting the down trodden. But the current Muslim terrorists have their roots exclusively in Muslim fundamentalism, committing dastard acts of cruelty, killings and terrorism. They successfully worked on religio ethenic cleasing of Kashmir Hindus and thus achieved one of their important goals.

A strong public movement, though localised and short lived, was witnessed in Anantnag in 1973. It was known as " 16 Kg Rice Agitaton". It had roots in the discontent pervading the comman masses. The movement sprouted out and grew from the gross roots. It bypassed and sidelined all the traditional leaders and stalwarts, who all combined to crush it irrespective of their political differences. They never wanted the growth of parallel leadership based on secularism. They joined hands on this issue.

The government was supplying rice at 7 Kgs per head on subsidised rates. The public demanded supply of 16 kgs. of rice instead of 7 kgs. per head on subsidised rates. A local committee headed by Mohamad Ramzan Klaigaroo, took up the issue. Finding the government response evasive, an agitation was started for achieving the objective. Besides Klailgroo, Nazir Ahmed, Roop Krishan Raina and Shiban Krishan Razdan spearheaded the movement. The movement saw total public involvement and the local adninistration went out of gear.

Finally Mohamad Ramzan Kigaroo undertook fast un to death. His health deteriorated after three weeks of fast. Tension mounted in the town. In a police swoop on one ensuing night, all the ring leaders of the movement were arrested including Klaigaroo. The mob became directionless. For want of guidance, the movement subsequently, fizzled out.

In july 1976, Government of India promulgated emergency throughout the country. It had its repercussions in Kashmir also. Sheikh Mohamad Abdullah was again in power as Chief Minister of the State. Many Jamait - i - Islami leaders and activists were arrested and detained including Syed Ali Shah Geelani. The Schools run by the Jamait were locked and closed down by the government. To balance there arrests some Hindu leaders like Pushkar Nath Kaul Vakil, Amer Nath Vaishnavi and Amer Nath Ganjoo (expired in Jammu during the current displacement) were also detained under Maintenance of Internal Security Act (MISA). Pushakar Nath Kaul was arrested by Counter Intellignence delebrately and secretly under mysterious circumstances so as to harass his whole family and other relations, without letting know his arrest.

Throughout the period of Emergency not a single Muslim political leader or activist came out openly to protest and demonstrate against imposition of Emergency in Kashmir. It were, however, Tika Lal Tapiloo, Madan Lal and Shiban Krishan of Kashmir unit of Jan Sangh as it was then, who one day openly denounced emergency at Lal Chowk Srinagar, by making a short protest speech against imposition of Emergency. They were arrested and prosecuted under the ordinary

law of the land but were not detained under MISA. I defended them in the Court as their Advocate. They were convicted and sentenced within days, to a short term imprisonment.

The reward for this was given to Tapiloo by the Muslim fundamentalists and terrorists in the shape of pumping volley of bullets into his body on September 14, 1989, in Srinagar, killing him on the spot. He was alongwith a large number of other victims, denied right to live in Kashmir. Had the Hindu sufferers of emergency period also, no right to live peacefully in Kashmir, causing their exit from the Valley ? Had the secularist and other innocent Hindus also no right to live in their land of birth and origin ? Does it not constitute a shameful ethno religious apartheid against the peaceful and innocent Hindu Community of Kashmir now in exile ? Does it not contravene the basic human rights of this community, hounded out as it is, from their homes and hearths ? Does it not constitute, in the backdrop of sufferance, ethno religious cleansing of Hindu Community in Kashmir ? The world community must ponder over these questions and answer for the knowledge of the world peoples.

It is the naked, glaring and agonising abuse of human rights committed against a part of human race exiled and drawn to the point of extinction. This is a continuous violation and offence being committed against a cultured and civilized community. The world community is brazen facedly countenancing this primitive, uncivilized, inhuman and brutal denudation of the Community in this modern world, approaching twenty first century. A community that has a very long and unending history of persecutions and sufferings, is again now being sacrificed on the altar of religious bigotry, fanatacism and also the callous, unrealistic and the indifferent policies and attitudes of the government and the authorities that be.

The members of the displaced community did not lag behind in any secular and pro-people movement. The nationalist and secular role played by them in Kashmir is laudable and out of proportion to their population. Hardly could it be expected from any other community situated similarly ! This role and conduct has always been overlooked

and brushed aside both, by the government and Muslim leadership as they saw the things from communally tainted glasses. How long the likely adverse and opposite reaction of the suffering mass of people can be averted ? Kashmir Hindus have, no doubt, always stood by the native Muslims.

> *"History is witness and the majority community (Muslims) will acknowledge that we have stood by them at all times of trials and tribulations and contributed our mite to the peace and well being of our homeland."*[16]

Despite the healthy role played and the contributions made by the displaced community, it was not tolerated in Kashmir. The members of the community were uprooted and thrown out enmasse. Kashmir is their's and they are part and parcel of Kashmir as other communities are. No other community can claim any superior or special right or precedence over the members of the displaced community, descending from the original stock of the inhabitants as they are, nor can they be denied the right to exist, survive, live and flourish there honourably and with dignity. In the event of treating them not so, or regarding them as inferior or second grade citizens, as the tendency had developed there already, then such other people have also no right to exist and live there.

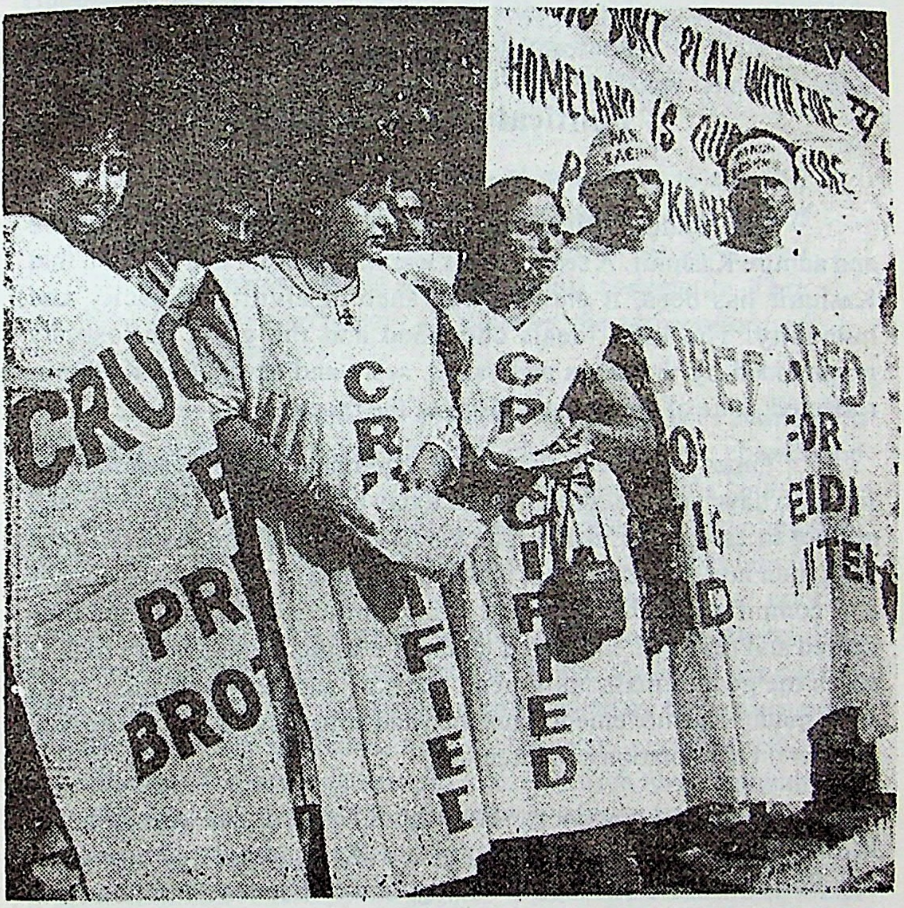
The Kashmir dispossessed and displaced community, basically secular, peace loving, tollerant, crime free educated and above all humane, has deeply been shocked, hurt and wounded. It has been offended, raw deal given and provocation accorded. The worst type of challenge has been thrown before it. It shall have to retrieve its honour and redeem its dignity. It is no longer prepared to play the second fiddle in Kashmir.

The biased, unfair and humiliating acts and deeds committed,utterances and expressions made and policies and programmes pursued against the Hindu Community all through, either by the government or the Muslim leadership and the fundamentalists,

16. Kashmir Migrants .P.4. Save Kashmiri Pandit Campaign Committee, New Delhi.

is bound to create one day or the other, thunders of the skies and outbursts of the volcanoes.

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Cry for Home land

Chapter-III

Pawns on the Political Chess Board

The Hindus, afflicted though they are, never ceased to adore and admire Kashmir. A seat of great learning, culture and religion that Kashmir has been, it emitted fragrance of civility, sagacity and humanity. The lofty ideals cherished and the great philosophy propounded by the sages and saints, seers and savants of Kashmir, reflected shine of the sun and lustre of the moon.

Times have been there, not uncommon, when Kashmir was found to have been eclipsed. It is so today also. Its own people as well are not to escape the blame. The wavering role of the leaders in the past; their non-conceptual but biased adherence to the political slogans and commitments, have created more conflicts and confusions than settled and resolved. Instead of taking the straight and smooth path to reach the goal of mass upliftment, uncanny and non-rewarding drifts were made. The movements launched and struggles waged were given a different connotation and direction.

In the first popular government of Kashmir headed by Sheikh Mohamed Abdullah, some important Acts came to be passed. Landlordism was abolished under Big Landed Estates Abolition Act., 2007 B(1950 A.D.). The land was taken from the land owners without any compensation and distributed among his tenants free of cost or charges . The State of Jammu and Kashmir is the only State in whole of India , where for the Agricultural land taken away by the government under the above act, no compensation at all has been paid to the owners.

There was not a single Hindu/Sikh tenant in Kashmir Valley, who could be benefitted by this Act. They all were the victims and economically harmed. The beneficiaries were one and all Muslims. Later, Agrarian Reforms Acts1975 and other amendments were made to benefit them again. All these legislations futher hit hard the Kashmiri Pandit Community and shook their foundations in the Valley of Kashmir. Ultemately, therefore, even small Agricultural holdings also were taken away from the Hindus in general and transferred to their Muslim tenants. It happened with the Sikhs also in the Valley who also have suffered much on this and other accounts.

> *"But it is a matter of great concern and regret to the Sikh Community that the successive governments boasting of building a welfare state and protecting minorities have been constantly neglecing the interests of this community. They have been also adversely affected by the enforcement of Agrarim Reforms."*[17]

One of the deep rooted attachment of Kashmiri Pandits with the Valley of Kashmir was their proprietorship over the chunks and patches of Agricultural land. They were divested of this land by the rulers and the authorities under the garb of progressive and revolutionary legislations without, however, themselves becoming rovolutionaries and emancipated in their outlook, thinking and acts or making themsalves amenable to progressive and revolutionary measures. It in fact, benefitted the Muslim community in the Valley at the cost of Hindus/Sikhs in general, so designed and desired by the government. Coupled with other measures, it was, obviously aimed at delinking Kashmiri Pandits ultimately from the Valley. Which form of population ration one may ask, was followed by the government in adopting and implementing these one sided measures ? The rulers and the ruling party could conveniently target the Kashmiri Hindu and Sikh communities exclusively and benefit the Muslim community entirely in Kashmir under the above legislations. In face of the plea of ratio of population raised by the government and the Muslim leadership so

17. *Resolution passed in one day Akali Convention held on October 11, 1987, at Chathi Padshahi, Srinagar.*

often in all other spheres to humble down Hindu, Sikh citizens was, how and why this all was done suprisingly in disregard thereto? Why were they silent on this count? These are the two faces of the same coin.

Once these legislations were passed regardless of the positive harm and deprivation caused to the Hindu/Sikh Communities and corresponding positive gain and advantage bestowed on the other community, a principle was evolved not on the basis of population ratio but on the ground of radical politics and merits of the case. How then in all other spheres merit has been scuttled and discarded and element of population is brought in ? It is only with communal considerations to create disability for non-muslims on the ground of lesser ratio of population. The Constitution is floted and discrimination created purely on the basis of political, caste, creed and religious considerations. On principle, I am in favour of these legislations. But what I donot favour, is the act or deed done without spirit of equity and fairness as well as resort taken to communal manuplations and fanatic considerations. It unjustly injure and ignore communities other than the one intented to be benefitted and propitiated. The large number of affected members of the Kashmiri Pandit/Sikh Communities were not otherwise also recompensed and rehabilitated, which was an obligation of the State.

The popular government had been going on from the very beginning in a calculated manner to have the Kashmiri Pandits systematically annihilated in Kashmir. The government leaders, therefore, tightened their noose in the Valley slowly and steadily. In accord with the progressive measures taken and on the parity of reasoning and logic, the vast immovable property acquired and created by the wealthy persons and the new rulers, should also have been brought within the ambit of such type of legislations, distributing the (excess) property among their tenants, watchmen and other down trodden. But how could that be ?

The private money lenders in the Valley, all Hindus, were divested of their claim to recover and realise their outstanding debts

from the debtors. The latter were overwhelmingly Muslims. After the installation of popular government, the legislations like Distressed Debtors Relief Act and Agriculturists Relief Act were passed in this regard.

The transition from Autocracy to Democracy, would not normally admit of such harsh enactments made against the members of one particular native community, favouring and helping the other pampered community. Bring the few cases in which commission of highandedness and injustice might have been apprehended, the same type of business and transaction is incidental to the Banking. The Banks are not compelled to give up claim for recovery of any outstanding or overdrafts paid. The Institution of money lending, private or otherwise, needed restraints and control. But the private money lending was completely affected by the government and the legislation made in this regard operated retrospectively, discounting adroitly the right of money lender to reclaim and realise the outstanding from the debtor. As such, these debts were impliedly written off and the Money Lenders deprived of their outstanding sums. This also was not unbiased and fair measure.The Institution of private money lending is not meant to the defended at all. It is only to show the designed moves of the government and the ruling party to single out the Hindu community for hostile treatment.

This all did not happen elsewhere in India after independence. Even then might of Indian government was always with the Kashmir ruling party to render the non-Muslims to a decimal position. What the Indian government did not deem fit for rest of the country, they connived at the same in Kashmir. The freedom given to Kashmir was used as license to supress the Hindus and to eliminate them from the scene.

In the current abnormal situation, a colossal catastrophe has befell the displaced people. Neither the Jammu and Kashmir Bank, nor the Jammu and Kashmir State Financial Corporation have advanced loans to the deserving members of the displaced community. The government also have not chosen to write off the loans that some of the dislodged persons had previously drawn. Did the installation of popular

government create such an abnormally and dangerous position, more worse than the current one, that the government had to take all the ameliorative measures then and not now for the disloged. The private money lenders had implicily to disclaim their outstandings lying with the private individuals in normal situation. In the current catestrophic conditions, the displaced sufferers have not been given such a concession.

A sharp conterdiction and bias is, therefore, discernable in the attitudes and approaches of the government both, State and Central, while dealing with the cases of Muslims and non-Muslims.

Kashmir Valley had so far 43 Assembly Constituencies. The Ruling Party used to allot generally 38 Assembly seats to 22 Lakh Kashmiri Sunni Muslims and one seat to Kashmiri Shias. Besides this, three seats to non-Kashmiri Muslims (because of their sizable population in hilly and border areas) and one seat to over four lakh Hindus and Sikhs, living in the Valley. After Sunni Muslims, the Hindus formed the largest single group of the Kashmir population, spread over the Valley. According to the demographic position, Hindus deserved mandate for at least six Assembly seats, but were given nominal one. While exploiting so much population ratio to their advantage, why the ruling party and the government used to bypass the claim and entibement of Hindus to more Assembly seats on the basis of their population ? Furthermore, the ruling party invariably managed to manipulate demarcation and delimitation of Assembly Constituencies in such a manner as to leave or frame no Constituency with majority of Hindu-Sikh or Shia electrorate.

There was lone Habba Kadal (Srinagar) Constituency with majority of Hindu voters. The Ruling Party was keen to change the complexïon of this Consituency. And so it could no longer remain a Hindu majority Constituency. Despite the repeated representations made all along to the Delimitation Commission by All State Kashmiri Pandit Conference (Yavak Sabha) to adjust, consolidate and delimit Habba Kadal Consitutency in a manner so that the Constituency had majority of Hindu electorate, but in vain. It could have been done

conveniently. Even some other Constituencies could also be formed with very substaintial Hindu electorate. The rulling party (whichever it has been) was invariably obsessed to see return of no Hindu candidate to the Assembly from a Hindu majority constituency in Kashmir. Therefore, the rulers confidencially opposed continuation or creation of any Assembly Constisuency with majority of Hindu votes in the Valley of Kashmir.

There were otherwise also defects in delimitation of some Assembly Constituencies which were allowed to continue, but Hindu majority Assembly Constituencies were not deliberately allowed to be carved out. Take for instance the case of Hazratbal Constituency: Barzulla Baghat in Srinagar, about 18 Kms. away from Hazratbal, is one of the segments of this Constituency, which is suburb of Srinagar.

On the another end, is Bala Hama at a distance of about 15 Kms away from Hazratbal which also forms part of this plain Constituency. There are long areas of some other Constituencies coming in between and seperating Hazaratbal Constituency from its above two segments. To carve out Constituencies as desired by the Hindus was more convenient and feasible to demarcate and delimit that the many of the Constitutuencies delimited .

By adopting this policy and strategy, the government was able to defeat the democratic right of Kashmir Hindus/Sikhs for returning representative of their choice to the State Assembly. This resultant system also gave a set back to Kashmir Hindus in ventilating their grievances in the Assembly.

> *"The voting system of the country has brought about miseries and extinction of Kashmiri Pandits from their birth place in the Kashmir."*[17a]

It was a matter of policy with the Government to keep the Hindus in Kashmir under thumb and almost without representation. As such, all the efforts were made by the authorities in all spheres to keep

17a Mr. D.N. Munshi, former President ALKS, Excesion 17-5-1993.

them subdued and at low ebb. In order to keep peace and maintain brotherhood with the Muslims, the Hindus never wished to raise controversies to the fighting point. They acquiesced generally on the policy of discrimination and countenanced even high-handedness which has also limit to bear up with. Obviously, therefore ,Kashmir Hindu was in no case contender for power with the Muslims, nor could he be. To subdue, curb or crush him was, as such, height of unfairness. Even then , he was not spared and at times was victimised.

In 1965, some unemployed Kashmiri Pandit Agriculture Gradurtes undertook fast unto death in Srinagar. They protested against discrimination and denial of jobs to them, though vacancies were available. All the available Muslim Agriculture Graduates excepting one, were employed by the State Government . The grievance of these youths was that the government was not filling up the vacancies and were awaiting the next Muslim batch to come out next year so as to appoint them against the vacancies.

A day earlier to the scheduled fast, the aggrieved lone Muslim graduate was also employed, embarassing and depressing his other colleagues. The parents of fasting youths told me then that State Prime Minister G.M. Sadiq (as he was then designatned) refused to give them audience in regard to that matter. They thereafter, met State Congress President,Syed Mir Qasim but got disappointed. "We have to look after the Muslim interests, because Pakistan raises hue and cry for them and also those of the Dogras. For, Jan Sangh helps them", Mir Qasim told them and added, "But none stands for Kashmiri Pandits, as such, you do not matter anywhere", Mir Qasim rebuffed them"[18].

Being then Secretary of State Praja Socialist Party, I, thereupon put my Socialist Comrade Mohamed Haneef Parwaz Quraishi incharge of the strikers Camp. It added some seriousness to the matter. The parents of the fasting candidates tried then to meet the State Prime

18. on my visit to Himachal Pradesh two years back, I met Dr. S.N. Peshin, one of the fasting students, at a function at Solan. He is Doctorate now and Head of the Department of Horticulture University Solan. He painfully reminded me of these unpleasant utterances of Mir Qasim.

Minister again in this regard. Sadiq met them this time and assured them about the employment of their sons within a short time. He advised them to have the hunger strike called off. Early next morning Agriculture Minister, Harbans Singh Azad entertained the fasting youths to orange juice before. Parwaz had reached the Camp. They compromised the matter of their own but were never given the jobs and all of them had to go out in search of employment. The candid words of Mir Qasim had proved correct which ultimately led to the exit of Kashmiri Hindus from the Valley and today a large mass of them find themselves virtually on the road side. Kashmiri Pandit has been in fact, betrayed by every one even by government of India which amused always on their sufferings and being let down in Kashmir. He has been used as a pawn on the chess board of politics.

Kashmir Hindu has been exploited by every one for his own ends. He has not been given the credit he is worth for, nor elevated to the position he deserved and strived.

After he assumed power again in 1975, Sheikh Abdullah advised his lone Hindu Minister from Jammu, D.D. Thakur not to recruit and appoint any Kashmiri Pandit in the Secretariat. "You may appoint and post any Dogra in the Secretariat service", the Sheikh told him confidentially adding". But not a Kashmiri Pandit", Sheikh Abdullah cautioned him, as if it was the top secret government policy of Sheikh Ministry. What Kashmiri Pandits had done to invoke and invite this wrath from the Chief Minister whom they had befriended on many occasions ? Were they to suffer for their Indian patriotism and how long? Sheikh Abdullah thereafter dubbed Kashmiri Pandits as Indian "Fifth Columnist"[19]. Obviously, therefore, all the guns of Sheikh Abdullah were trained and aimed at Kashmiri Pandit community in order to eliminate the memebers of this community first from the Secretariat service and then from Kashmir itself. A bulwark of India in Kashmir, the Hindu community was tough resistant and stable force to reckon with by the seperatists in Kashmir. It was, therefore, a preview

19. Sheikh Mohd. Abdullah has given this "reward" to Kashmiri Pandits in his biography "Aatish-e-Chinar". For similar remarks, this book has been given Award by Central Sahitya Academy, New Delhi.

of the shaping events long before the current type of terrorism and insurgency had actually commenced in the Valley.

Kashmir Chief Minister, Sheikh Mohamed Abdullah visited Calcutta in 1980. The local Kashmiri pandits met him there. Sheikh told them clearly that numerical strength and education counted and that he could not accommodate and employ Kashmiri Pandits. As against them, he had to recruit Muslims in services. "Kashmiri Pandits will progress any where outside the State", Sheikh told the group of visting Kashmiri Pandits and added, "They will have Kashmir as a summer resort and can visit it in summer for holidays."[20] Sheikh exhorted them. "Sheikh Abdullah had therefore, envisaged migration of Kahsmiri Pandits in forseeable future".[21]

Kashmiri Pandits have for long been engaged in a relentless struggle for survival. Can National Conference evoke confidence in them even if it woos displaced community now ? The facts and circumstances have created distance and distrust. For that matter, Congress Party also cannot be trusted upon. It also deserves severe criticism. This party has been coalition partner of National Conferance. It cannot escape the blame. Its complicity in and connivance at all that constituted anti Kashmiri Pandit campaign on government level, will have to be infered and presumed. "Without Kashmiri Pandits, there is no Kashmir and also no India in Kashmir", is another strong inference which shall have to be derived and accepted.

To work for annihilation of Kashmiri Pandits in Kashmir, directly or indirectly, (whatever means and methods) was, therefore, to play with the national interests and to embark upon disintegration of India. Has then Congress and National Conference rendered any service to India or to Kashmir? This will take yet time to Indian politicians, whatever hue and colour they belong to, to perceive and grasip it and

20.,21 A senior most retired Army Officer of Kashmir, now displaced, Col. P. N. Kak narrated me this. He was himself present in the above Calcutta meeting. He was very close to Sheikh Mohamed Abdullah. I interviewed Col. Kak in Jammu on 16-9-1995, which was arranged by Mr. D. K. Kaul, Ex-secretary, J & K Legislative Council.

then to admit and accept it publicly. And in case they do so, it will take them still time to act on it . By that time, the time may have gone out of their hands and beyond their reach. That is why Indian rulers, authorities and politicians have so far been taking the Kashmiri Hindu community lightly and are so witnessing the calamities the community is suffering while they are themselves facing the music in Kashmir.

There has been a regular and systematic tirade against the Kashmiri Pandits to shut their mouth and suppress their grievances. These were cropping up and touching their different spheres of activities-social, economic, political and religious. it was also done to provoke the common Muslims against them and to instigate the Muslim Militancy for which congenial atmosphere was being created to encourage it on mass level and to spread it in the length and breadth of Kashmir.

The rulers and their party men, in secret collaboration with the State Information Department, deployed its staff for the purpose of preparing, bringing out and distributing of hostile literature regularly against Kashmiri Pandits at the cost of State Exchequer. This published matierial was distributed in different quarters to the exclusion of Kashmiri Pandits, who were kept ignorant about the campaign. The peaceful, crime free cultured and microscopic Kashmiri Pandit community was on the one hand belittled and denounced and on the other, provoked to commit any perilous act so as to get an excuse to crush them for which the deck was being cleared and false accusations attributed to them. The government did not hesitiate even to dub the Kashmiri Pandits as Militants, when there were no visible signs of large scale militancy and terrorism on the part of Muslim zealots also . The high handedness was done and demonstrated by others but condemned were Kashmiri Pandits as to why they grieved or complained !

In the late seventies, during the Sheikh regime, a chunk of land attached with and subservient to Hindu shrine at Mattan, gate way to world famous Amarnath shrine, was encroached upon and snatched by the members of Muslim community. This land was used for centuries past, as an important centre for night halt and rest of the piligrimage of

"Charri". In order to obstruct Amarnath pilgrimage, this land was one night snatched and annexed to Muslim Auqaf and the Auqaf Flag hoisted there, converting it into a Muslim property forcibly. The Hindus raised a hue and cry and demanded swift action and return of the land. While admitting the facts, the government shielded the miscreants. One of lthe above referred hostile material published reads.

> *"The Mattan incident was misconstrued by them (Kashmiri Pandits) as an instance of encroachment on their places of worship. Needless to recall, when the Muslims of the locality, misled by certain anti'-social and vested interests, tried to occupy a piece of land in the town, the Auqaf flag was removed even in face of heavy risks of breach of peace".*[22]

It was a deep conspiracy to threate and harass the Hindus openly. As a result, a serious tention prevailed on the spot drifting away the two communities, Hindu and Muslim, was apprehended. The false accusation of organising themselves on the militant lines, has been publicised against Kashmiri Pandits to create a justification for Muslim militancy that was in the making, which the Muslim leadership very much desired to have. The booklet under reference further writes :

> *" Events at Mattan, the temple town in Anantnag district, a few years ago mark the turning point in the attitude of the Kashmiri Pandits. It was after that unfortunate incident that they organised themselves on militant lines. Till then the two major communities in the state had maintained highly cordial relations............................ .*
>
> *Since the Mattan incident, the Militancy of the Kashmiri Pandits has become patent enough to warrant any scope for misunderstanding, but for the swift action of the state Administration that time, a virtual holocaust was imminent. Come as that did at a time when the Valley was playing host to tens of thousands of eagerly sought after tourists and more*

22. *Hindu Muslim Ties in Kashmir-Myth and Reality, P.10 A.Q Khan, 2nd edition, published in Feburary 1981.*

so to the thosands of the Amarnath cave bound yatris, the incident could have escalated into a major clash between the two communities- Muslims and Hindus- and, in its trial, spelt disaster to the State's not so viable economy". [23]

And then accusing further that they Kashmir Pandit have been levelling wild allegations about their imaginary grieveness through a series of meetings and resolutions they keep up their tirade thus seeking to build up their militancy.[24]

The government put in consistent efforts to tarnish the fair image of Kashmiri Pandits. Involving in and blaming this peace loving community for a false charge of "building up militancy". The environment in fact, was being polluted by the government and atmosphere sucharged against innocent Kashmir Pandits to justify muslim terrorism, secession and militancy. It was being instigated and organised to seek thereby annihilation of Kashmiri Pandits in the Valley. One may attribute any bad thing or motive to Kashmiri Pandits but he could not be accused of militancy, nor can he be presented as a militant, nor he ever before believed in militancy. Accusing them of false and unfounded accusations like the above ones, the Pandits have been sought to be defamed, which they, however, put up with all sobriety and patience. The latest wholesale unresisted displacement of Kashmiri Hindus, also disproved all such government accusations against them. Instead of feeling ashamed, the government leaders chose to indulge in a campaign of villification against the Hindu Community, smaller in number but stronger in conviction. It is not that they could not take to militancy but they did not like to resort to it as creed of violence is totally missing in their nature.

In the same booklet, the assertions and charges made are in itself contradictory in terms. The Kashmiri Pandits neither ever threatened of resorting to militancy nor took up to militancy. They only screemed and sobbed over their plight and the discrimination perpetrated upon them. What all that they did was they heaved sighs

23. *Booklet "Hindu Muslim Ties in Kashmir, 2,3, 1981 edition A.Q. Khan.*
24. *Hindus Muslims ties in Kashmir L.P. 4.*

and wanted to lodge peaceful protests, which the government was not in a mood to permit.The booklet therefore further says :

> *"Ever since the Mattan incident, the Pandit Community.......has been throwing veiled threats to launch what they call a "courageous peaceful struggle" if their "demands" were not conceded. Most right thinking people in the State must have been stunned to read a news report in some local dailies recently in which they had alleged that round about two thousand Hindus desert Kashmir every year in search of employment outside"*[25]

The state government never wanted to see exposure of true facts about Kashmir, nor were prepared to face the truth. Hindus wanted to launch only peacful struggle for redressal of their grievances and not to resort to militancy. They had never conceived the idea of militancy. The government leaders themselves wanted to create Muslim militancy in the background of such like utterances and statements and were preparing ground for that by falsely accusing the Pandits. The desertion of the Valley by educated youth for search of admissions to higher classes of learning in Medical, technical etc., or for jobs and livelihood outside the state, which they were refused in the state, ignoring their merit, were admitted facts.

The lie has no legs to stand upon. The government takes inconsistent, contradictory and unconsituional stand on the issue and play one or the another according to the times, situations and the convenience, suiting their interests.

In order to squeese Kashmir Hindus fully, the government wanted to deny them right to services also. Under the constitution, the governemt could not do it. They had, therefore, launched a concerted campaign against Kashmir Hindus, raising the bogey of their "excessive share in the service" than their ratio of population warranted. In another government sponsored propoganda publication, they wrote against

25. Hindu Muslims Ties in Kashmir(Supre) P. 4.

discrimination raised by the Kashmiri Pandits, with a veiled threat so as to cow them down. It says :

> *"The leaders of this community have ignored the fact that they have share in services and professional institutions in excess of what their number would justify. It can be conceded that the Kashmiri Pandits are ahead of other communities on account of better education standards and long tradition of services, but it would be difficult to deny that their share is far in excess of their number and it would be difficult to avoid some major social engineering in days to come to restore balance in favour of Muslim Majority in Kashmir and Dogras in Jammu region to avoid tensions"*[26]

The grievances and complaints of the native Hindus were mostly against the government, State and Central. But it has been the government and the Muslim leadership which give twist to their grievances and present the same in a way as if they are against the Muslims :

> *"That the Hindus here suffer "humiliation and systematic annihilation" is just a pretext and a device to sugar coat the insults they have heaped on Kashmiri Muslims for some time now."*[27]

The Kashmiri Pandit Community is the only community in the whole State of Jammu and Kashmir, which has unmatchable record of literacy. If one goes by literacy percentage in the State, the Kashmiri Pandits are then again great sufferers and have been given nominal percentage of government jobs in the State services.

> *"Besides ....had....... spread canard against the Kashmiri Hindus to the effect that they are dominating the state services causing resentment within the Muslim community. True facts are, however, quite contrary to this false assertion. Kashmiri Pandits are constituting*

26. *J&K government brochuire "Where will it end"? PP. 11,12, 1979 A.D.*
27. *Hindu Muslim Ties in Kashmir, P.18*

> *one fourth of the total literate population of the State while their percetage in government services is not more than 3.5 percent."*[28]

An Urdu journal "Maktoob", published by the State Information Department, carried in one of its issue (after mi-d seventies), an editorial openly against Kashmiri Pandits and dubbed the whole community as communal. This tirade against the small community of Kashmiri Pandits continued not only during Sheikh Abdullah's regime but in the successive governments too. In the Ministry of Dr. Farooq Abdullah, one of his former Minister and the then Speaker Assembly, Abdul Rahim Rather also wrote a similar booklet against Kashmiri Pandits. It also contained some false, distorted, twisted and damaging versions about Kashmiri Pandits. The booklet published in his name in eighties was another addition to the series of anti Kashmiri Pandit literature, prepared and brought out confidentially by the State Information Department. This objectionable campaign, apparently a part of the conspiracy, was therefore, carried out and borne as it was, on the Public Exchequer. Another leader of National Conference Atta Ullah Suharawardi, who was Deputy Chairman of J&K Legislative Council also spoke strongly against Kashmir Hindus. The vehment attack started by Sheikh Abdullah's regime against Kashmir. Hindus was, therefore, continued and carried on unabated in the regime of his son also.

The unyielding existence and survival of Kashmiri Pandits in Kashmir was eye sore to the Ruling party and its leadership. The pivotal point of their politics was to curb and crush the Kashmiri Pandit Community, least realising that it would hollow the foundations of their own edifice of power, only to crumble down one day. It is regrttable that all the forces are against a tiny community like Kashmiri Pandits. The power of forbearance, resistance and also resilience displayed by them all through is, however, miraculous.

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28. *A letter by Mr. D.N. Jalali published in the Samachar Post Delhi, 16-1-1991.*

Chapter-IV

Darkness At Noon

Part-I

After the forcible dastard conversion of Hindus to Islam in Kashmir right from the days of Sultan Sikandar Butshikan (iconoclast), Kashmir has lingered on ; some times limping and stumbling, other times moving fast and rejuvenating. But the influence of external Muslim fundamental forces imbibed by a section of Kashmiri Muslims, altered the context and contour of Kashmir.

The Valley of Kashmir has been brought to current pass since the year 1989 when Kashmiris witnessed a head on collision with the avowedly fundamentalist, seperatist and the intollerant forces. The very existence and survival of the already harassed Hindus of Kashmir has been at stake. Sultan Sikandar's inhuman and bloody dramma in the Medieval Kashmir has again been enacted in the modern times, though differently. His command to Hindus, " embrace Islam or face death,"has implieitly been ringing in the air again. It was then a single Sultan Sikandar ; it is now an innumerable number of Sultan Sikandars, who embark on this path. It was then the person of a Ruler himself and his protegies who used to be keen for the elimination of "infidels" ; it is now a mass of their followers themselves, who are interested in the conversion, holocaust or extermination of Hindus supported of course, by some elements in the Government.

The game has been from Master to the masses. First, it was the front opened by the Ruler alone, it is now Front opened by the people mainly. The thrust of suppression, conversion or elimination has therefore, to be met now on both the Fronts, Rulers Front and the

public front. It is a sea change, a dangerous one from the Medieval to the modern Kahsmir. As such, it is matter very serious and thought absorbing than was ever before. This virus, by and by, came from the echelons of power down into the veins of the commoner. A world of difference in the sphere and dimension, but not in the savage approach and attitude.

During conversion in the Medieval Kashmir under the Muslim Rule, the third option was exercised by the unbending and unyielding Hindus : An option of fleeing the Valley, though not allowed by Sultan Sikandar and his converted Prime Minsster Saif-ud-Din Malik (Saha Bhat) yet a large number of harassed, persecuted and tormented Hindus managed to go away, beyond the reach of the Sultan. In the scheme, plan and policy of the terrorists and insurgents and their sponsors and supporters, the position has not been some what very different. Backwardness of medieval age and advancement of modern times, has no meaning, nor carries it any change in the manner and method of brutality and savagery. The scope and extent of direct involvement in such or similar things, is amazingly.far wider in the modern times than it was in the older ones. Now the mass of people subscribe and contribute to it .They come forward for open confrontation, which was not the case generally in the days of Medieval Kashmir.

After the advent of terrorism and insurgency in Kashmir, the Hindus could not live as Hindus there. It accounts for their sudden mass exodus. Kashmir was sought to be converted into an Islamic land where Hindu "infidels" had no place to exist and live. "Nizam-e-Mustafa" was to be installed and the land had to be purged of the infidels. The communists belonging to Muslim faith, for instance,were also treated as "Ladin" (irreligious) and so were "infidels" for being non Muslims. Such Muslims also, therefore, could not live there under Nizam-e-Mustafa. As such, alongwith killing of Hindus, the killing of Muslim communists and secularists was also started and many of them also had to flee the Valley.

The mosques, fitted with loudspeakers all over the Valley, were used as warning centres. Threatening the Hindus and conveying to them

what terrorists and many Muslims of Kashmir wanted to achieve:

"*Jis ko Kashmir may rehna hay Allah-ho- Akbar kahna hay*",

(whosoever has to stay in Kashmir, he can live subject to professing Islam).

Slogans like these "*Ai Zalimo Ai Kafiroo Kashmir Hamara Chor Do*" (Oh cruel infidels hands off our Kashmir)

"*Hamein kya chahe, Nizame Mustqfa*

Kashmir mein kya chalaiga, nizame mustafa"

(We want Islamic rule of law - Kashmir should have Islamic rule).

Many of terrorist outfits raised, publicised and circulated slogans which indicated their demands and objectives :

"Islam Hamara Maqsad Hai + QuranHamara Dastur Hai - Jehad Hamara Rasta Hai. (Islamisation is our goal. Quran is our Constitution. - Religious Crusade is our Path)

Further, to quote Jammu and Kashmir people's league poster which reads "People's League Ka Kya Paigam + Fateh, Azadi Aur Islam" (Here is the message of People's League: victory, Independance and Islamisation).

Similarly, a hand bill published and distributed by another terrorist outfit, Allah Tigers reads : "Allah-ho-Akbar - Musalmano Jago (Awake Muslims) Kafiro Bhago, (Infidels run away) Jehad aa Raha Hai" Islamic Crusade is following :

> *"They yelled at us through loudspeakers fitted in each mosque; "Death to infidels", "Kashmir shall become an Islamic State," "Those who do not accept it will be pronounced traitors," "Death to minorities, the agents of India."*[28]

Kashmir Hindu was surprisingly termed as illeterate and vulgar in some of the slogans shouted from the mike in some areas of countryside. From the religious stand point of terrorists, the Hindus

28. *Kashmir Migrants P.4. Save Kashmiri Pandit Campaign Committee.*

were "infidels" with no right to live in Kashmir as Hindus. They were otherwise also reduced politically to the position of underdogs. Not only the people came under trouble but also Kashmir lost its fair name.

> *"The Paradise on earth and its original people, the Kashmir Pandits are both in great trouble and turmoil. The former is losing the charm it had and the latter is languishing while they desperately struggle for survival. Kashmir has lost its fair name and reputation for being a land of non-violent, peaceful and peace loving people believing in communal amity and human values."* [28a]

Obviously, under the situation prevailing in Kashmir, it was near impossible for unarmed and defenceless miniscule Hindu Community to live in Kashmir and face humilitation, tortures and physical liquidation in absence of any support from any quarter. What could the Hindus do with empty hands for their defence against armed terrorists and insurgents ? They would have been lynched and their girls and women kidnapped and gang raped, then either converted to Islam and married or slaughtered after satiating their brutal lust and vengeance. It was already experienced in certain cases before and after mass displacement of Hindus.

Three options were left with Kashmir Hindus : First, to get mentally tormented and physically liquidated at the hands of Muslim terrorists. In the process, their daughters and girls were to become victim of abductions and gang rapes, forcible marriages or killings; Second to surrender and be subjugated, even converted and dancing to the tune of the terrorists, fundamentalists and secessionists. Third, to escape molestation of women folk, brutal ouslaughts on the honour and life of community members so fleeing Kashmir Valley. These three options are called in Kashmiri "Ralun, Galun Zchalun (merge with, get killed or quit). This precept of three medicinal remedy for political malady of Kashmir was emphasized for Hindus in 1931 by Sheikh Mohamed Abdullah. Jawahar Lal Nehru also stressed it in forties while speaking

28a. Mrs. Shanta Tikku in "India West", California, July 5, 1991.

at a reception given to him in Srinagar by Sanatan Dharm Yuvak Sabha, now all State Kashmiri Pandit Conference.

The members of the Hindu community in Kashmir, many Sikhs included, were compelled to exercise the third option of quiting Kashmir till the tlme they could stage come back.

It was an individual decision in case of most of the families to flee and left the Valley in a huff with empty hands, mostly in abject and horrible condition. This exodus was enmass from almost all parts of the Valley wherever the Hindu population was spread over. However, the conditions for migration of Hindus from the Valley individually and steadily were created right from 1947.

Their youth started going out either for getting admissions to technical, medical and other Colleges of higher learning or even went to abroad for getting employment. For purposes of livelihood, they travelled and traversed far and wide in search of green pastures. This trend and process continues, ever since, But the shock of terrorism was both strong and sudden, so the reaction was also extreme and sudden, resulting in their mass exodus. The gun wielders were not soldiers of the State but the belligerent, the Muslim youths mostly of the Valley. They refused to recognise the Hindus as vital limb of the Kashmir society and the ones wedded and embeded to the soil and born in the same "Reshwar", as this glorious land of piety and beauty is called. They did venture to severe all connections and ties with the native Hindus, enunciating a new concept of Muslim fundamentalism, religious intollerance and bigotry.

The ages long concept of co-existence or semblance thereof, was destroyed within twinkle of an eye. A marked difference was, therefore, observed in the long history of conversion and persecution of innocent and peace loving Hindus of Kashmir. Their earlier persecutions in Medieval Kashmir on the ground of religion, were committed by the Rulers themselves and not by the public and later persecution of this community, as indicated in earlier pages has been undertaken by a section of the Muslim population itself, of course with aid of the State Administration.

It was, threfore , two pronged attack on the Hindu community of Kashmir. Regardless of the form and shape, attack was on their religion and culture as well as on their existence and survival by a section of the native Muslims, in collusion with the Government. The Muslim armed fundamentalists, secessionists, sabotaneours, terrorists and insurgents had opportunities to breed in the back drop of covert and continued acts of political indifference and Administrative discrimination perpetrated on Hindus in Kashmir over the years by the Muslim leadership and the Government. It was the State Government in the forefront to tactfully single out the Hindus in Kashmir to stifle them and oust them under subtle methods and schemes. It was the Government of India, in the background, with its insensitivity to the woe and wail of the languishing Hindu Community. The Government of India, therefore, tacitly agreed to and often endorsed, these "death warrants" against the Hindus in Kashmir.

On individual level, however, and due to their own tact, ingenuity, intellect, manouverings and adaptability, Hindus managed to live and survive in Kashmir, not withstanding these " death warrants ", till the armed onslaughts were made on them by the well equipped terrorists. The Government of India do not bother for such a small community when it has other problems to tackle in the country, including the problem of power wielders, tussle. Power thirst impels the "Rulers" to search for vote Banks, which Kashmir Hindus are not, so they never figured before them, nor caught their attention. They were therefore, never on their agenda. The Union Government by its actions and utterances, more pronouncedly so now, appear to regard Kashmir under its suzerainty and not under its sovereiginty.

The army and paramilitary forces did not come to the rescue of the loyalists of India during the ongoing turmoil in Kashmir. They could not protect them there. Protecting and defending of borders is meaningfull when the internal cohesive force of people is saved. Both, civil and military administration failed to save them there.

Their intelligence and the officers were sleeping over the matters, pushing Kashmir to present political morass. One Ghulam

Hassan of Handwara area, just to quote one instance, was working for BSF intelligence. He became Area Commander of the Pakistan trained terrorists and disclosed this news to one of his closely known Pandit in his vicinity. "But you should not worry and stay safely", Ghulam Hassan reportedly told the Pandit adding, "Till I am here, no body will touch you," the Area Commander assured the Pandit. The latter, however, asked him, "Why did you cross over to other side," the Pandit enquired. "The BSF officer grabbed the money and used to pay me nominally," The former BSF spy said and continued "Pakistan paid me very handsomely" the terrorist Area Command clarified the position.

The Indian security forces and the army like unconcerned spectators, witnessed ruin of tormented Kashmir Hindus whatever the reasons. And "Rulers" holding the fort in New-Delhi, shamefully put up with their displacement and destruction. The Muslim bureaucracy had, by and large, turned out to be sympathetic to the terrorists. The Kashmir Hindus had, therefore, no protecting official or non-official Agency, which they could rely and depend upon. The Central government and its Agencies put the Hindus to humiliation in Kashmir. They became further targetted when they came out of the Valley. There are dozens of Intelligence Agencies of various Indian wings and forces operating in Kashmir. What have they been doing ?

What the intelligene net work of Army and Security forces were doing all the period ? What the I.B. had been doing when abduction, torture, rape and dastard killings of Kashmiri Hindus and nationalist Muslims was taking place. None of the agency, wing, department, branch or force strived hard to check it and to save the harassed, and the situation. Whether functioning effectively or not but the fact remains that the Hindus were harassed, kidnapped, tortured, killed and exterminated in their presence.

The manner the borders were looked after and guarded, smuggling of men and material in the Valley, could not be prevented. The import of sophisticated arms and ammunitions including rocket launchers and other modern weaponary into the Valley by the terrorists does not speak high of all those who managed, guarded and defended

the borders. The smugglers and infiltrators entered into the Valley through known mountain passes which could not have been a cake walk. The interior situation and position on borders were, therefore, alarming. What the Indian government was then defending in Kashmir? Were they defending secession and harassment there and also those who were bent upon to exterminate an entire community? After all the borders could not be lifted up by a crane which they perhaps think to guard against. One fails to understand the priorities of the Union Government in Kashimir. Muslim fundamentalists, terrorists, insurgents and secessionists alone canot be blamed for all that has happened in Kashmir. Blame is apportioned on State and Central Government also alongwith their agencies and instrumentalities.

The Muslim extremists went to any extent to annihilate Kashmir Hindus physically and otherwise from Kashmir which The Hindus could never expect, nor had ever imagined. "Without even the slightest provocation, they (terrorists) indulged in spree of gruesome killings. They killed many of our loved ones, brutally, in broad day light, without any reason."[28b]

Some of the instances[28c] of brutal violence perpetrated on and killings of the innocent and faultless Hindus in the Valley are metioned here :

A young student from Jammu, Rohit Khanna, had got admission in to the Jehlum Vally Medical Colleage Srinagar for M.B.B.S.Course. At Hari Singh High Street, Srinagar, Rohit Kumar was shot at in August 1990. He was removed to Government Hospital Srinagar, but the Doctors and the staff would not attend to the persons injured by the terrorists. Rohit fell victim to this policy and died uncared for in the hospital. Jammu people did not, nor even the students choose to observe a protest Hartal even for a single day against this killing which was a challenge to them also. Rohit was killed dastardly as the state Hospital

28b. Kashmir Migrants, a brochure published by save Kashmiri Pandit Campaign Committee.

28c. Some other instances have been given in the author's previous book "Crisis in Kashmir"

had turned into no less a slaughter house under the instructions of terorists. This extreme type of callousness is unheard of. Wherefrom Florence Neghtingale could be searched and brought, who nursed the wounded even on the war front. Our victims were allowed to die in the government hospitals, under an inhuman policy and threat of terrorists.

A former Joint Director of Sericulture, G.N. Raina was brutally murdered by terrorists in Srinagar. Chaman lal Pandit of Kawoosa was killed dastardly. Two retired police men Prithvi Nath and Veshi Nath were kidnapped by the terrorists on November 3,1990. Their fate is not yet known and are belived to have been killed. Lt. Col. G.S. Bali and his cousin had gone to the Valley and visited their relations in their own area in Baramulla district. Theywere both gunned down mercilessly by the terrorists. K. Natarajan, an outsider but a popular and sociable employee of Canara Bank, Srinagar was ruthlessly killed in Srinagar by the terrorists on December I,1990.

Some of the more gory acts of savage violence and dastard killings in Kashmir, are unique instances of human debasement and brutality, which the new world is unaware of. The tale of Brij Nath Kaul, sister and his wife of village Harman, Tehsil Shopian is one among these heart rending tragedies which is a slur on the face of humanity. This young couple alongwith Kaul's sister were kidnapped in May, 1990. The two young ladies were stripped off and molested in the public. They were then gang raped. After torturing them in various ways, the legs of husband and wife were tied to a jeep at village Imam Sahib. It was around mid day. The jeep was driven, dragging the young couple and Koul's sister alongwith. They cried, they cried for help , but no body came forward to help them, to take merey upon them. No body heard their cries. But those who could hear their cries and hear the echoes there of even now, refuse Callously to hear the same. Their bodies were injured and bled profusely. It fell again to the lot of Hindus to hallow this holy land of Kashmir once again with their blood. The more and more their agony of pain was inereasing, the more and more their cries dimimendoed and they met the tragic end. This extreme callousness and inhumanity perpetuated upon Kashmir Hindus, does not perhaps bother the humanity in the world.

Bhushan Lal of village Aamsen, Tehsil Kulgm, went to Daksum to collect his salary. He was not paid it and was asked to collect it next day. He went back. The next day he went again to draw the salary. But a trap was already laid for him and he was caught enroute to his drawal office. It was also 1990. Bhushan lal was kidnapped and taken to other place by the terrorists. He also was inflicted horrible torture, his ears were cut and eyes gouged out. This all must have been relished by his oppressors. His cries were not heard by any body, nor his tyrants liked him to cry any more. His tongue also was therefore, extracted and was killed finally.

Avtar Krishan of village Aweal, Tehsil Kulgam was kidnepped by the terrorists in 1990. He was inflicted extreme torture and taken to Chawalgam. His some parts of the body were amputed. After maiming him, he was thrown on the road to die. In his agony and anguish, he requested every passing automobile/scooter etc. to take him to Hospital against any charges, but no body gave him a lift and died helplessly and weeping and wailing with cries which the others enjoyed.

Daya Ram, a shopkeeper of Chitragam, Tehsil Shopian was kidnapped by terrorists in 1990. He was advising Hindus not to leave Kashmir. Killings of Hindus were committed without any rhyme and reason. That apart , Daya Ram's fault was not running from Kashmir and instead asking other s to stay back in the Valley. He was taken to Thajwara and tortured very badly. His leg also was broken and he remained crying with pain which his capitors enjoyed. He was killed finally.

One Mohi-ud-Din of Tehsil Sopore was kidnapped over 3 years back from his home in presence of his helpless parents and other home people. He was brutally maimed and cut into pieces beyond recognition. He was killed after severe torture, his body was thrown in the field.

Habib Ullah Lone of Palhallan was also kidnapped and killed. His bullet ridden body later which bore various marks of voilence, indicating that he was also tortured. For his secular views, the terrorists treated him as an infidel.

Mushtaq Ali, a photographer journalist and connect with Video Channel ANI, was sitting in a office when he was blasted by terrorists. He was a packet carrying the bomb. On opening it, the bomb blasted and he was killed on the spot in Srinagar in September, 1995.

These are not the simple killings. The manner and methods of killing the faultless People in Kashmir, are unheard of elsewhere. Is it so bad and sinful to be rational human being and that too in Kashmir as to warrant this inhuman treatment at the hands of native fanatics ? This all happened with them when Kashmir is part of India.

Again a great brutal act was committed when three Probationary officers transfered to Srinagar, were callously kidnapped by the terrorists and mercilessly burnt alive. V.S. Tewari from M.P., Tapoo and P.S. Shaikhar from Bihar, the three young probationers/trainees at Srinagar office of LIC, went on a picnic to Nishat Bagh, Srinagar on June 23, 1991. It was day of Idd and people had gone to the garden after a pretty long spell, to celebrate the festival. These three young Probationer Officers were forcibly picked up and kidnapped from the garden in presence of their Divisional Manager H.S. Bansal and his wife. "you have been insuring the lives of others throughout," one of the kidnappers told them sarcastically, adding, "And today, we will insure your lives." he sounded them a warning. The terrorists had declared insurance of life un - Islamic act and "anti Kashmiris[29]" While kidnapping them, they cried for help, but nobody came forward in a public place to intervene or apeak a word of mercy for them.

"Cobra", the Area Commander was following them right from Shive pure Guest House, wherefrom they had left for the garden. After kidnapping, they were taken to a deserted and nearly house of a displaced Kashmiri Hindu. What happened later is a story too pathetic for tears[30]" The eyes of the two innocent captives were forcibly gouged out, though they pleaded innocense and craved for mercy, but in vain. All the three were reportedly subjected to torture. Some patches of there skin were peeled off and some pieces of flesh torn off their bodies. Their cries,

29. *The Qami Awaz, New Delhi, July 11, 1991*
30. *The Samachar Post Delhi, June 27, 1991*

anguish and pain was relished by the abductors. No body heard their screams, shrieks and cries, not their parents and relations, nor even their countrymen, nor the world at large. All the three were then tied inside a room of the house, locked from outside and then set the house on fire. They were roasted alive. Two died inside the house and the third one P.S. Shaikher was about to die with serious burn injuries while Shaikhar was being removed, to the Hospital by the Police, he died. The Police recovered the two charred and one semi charred bodies.

The "Cobra" had gone on a sport trip to enjoy the tortuous killings of the innocent victims, who had no human rights, which their co-religionists and co-patriots in Kashmir were already denied by the terrorists. As a result they were also ousted, though dead, from the Valley. In the name of Islam the fundamentalists took all liberties to commit any Un-Islamic act as well.

> *"What was the crime of these officers ? .... For the Kashmir militants, they were the infidels or kafirs in their fundamentalist terminology. Is not this unprovoked brutal act "un-Islamic"?*[31]

The terrorists acted in a way as if they had license to indulge in any such game and sport and violate flagrantly and freely the human rights of others. The Indian nation, particularly the provinces of Bihar and M.P. received the tragedy so lightly as if nothing had happened. They did not even shed a tear of grief, not launched a protest even for a single day.

What then Kashmir Hindus can expect from the nation ? When even the people of the respective areas outside the Valley, remained silent and unconcerned over this sad in human tragedy committed by the terrorists in Kashmir, hardly anybody is hoped to come forward to befriend Kashmir displaced community ?

One Sohan Lal of Badiyar, Srinagar resisted suggestions to leave Kashmir and stayed back with his family, consisting of young

31. Mr. kamlaish Vakil in the Samachar Post Delhi, July 11, 1991.

wife teen aged daughter and the son. But the family had to pay a heavy price for not migrating from the valley even after of mass exodus of Hindus. His wife and daughter were sexually assaulted one day, some members a terrorist outfit. The family had to pay still higher cost. It is said that Sohan Lal's daughter was to be converted to Islam and a terrorist was forcibly and formally to marry her. The proposed marriage provoked another group of terrorist a member of whom wanted to marry her members of this group therefore, became jealous and revengeful. Another day, they came to the house of Sohan Lal, assaulted sexually both his wife and daughter, then killed them on spot along with Sohan Lal himself. His son was saved as he was not in the house at the fateful hour. On entering his home, the young boy had to suffer the shock of his life when he saw three corpses of his parents and the sister lying in a pool of blood. He was alone to suffer the agony of this collosal tragedy, none was to share it, nor was any one to console him there. His cries were unhearded and tears unseen.

The terrorists did not spare even a popular Kashmiri Hindu among the Muslims of Kashmir in general and the terrorists in particular. A known Trade unionist and a human rights activist. Wanchoo, was shamefully and deceitfully killed by the terrorists in Srinagar as back as on December 5, 1992. He was called out of his house at Jawahar nagar (Srinagar) by the two terrorists on the plea of some important errand. Then all the three boarded an Auto Rickshaw and went to Karannagar, they disfoarded there and the terrorists asked him to accompany them to a nearby house. During the course of walking the terrorists fired upon wanchoo a several fire shots from close range, killing him mercilessly on the spot.

Hirday Nath Wanchoo had filed dozens of Writ Petitions in the Srinagar wing of Jammu and Kashmir High Court, challenging various government orders and seeking release of number of terrorists. Despite rendering tremondous services to Muslims/terrorists, Wanchoo also was targetted, leaving behind a trail of distrust. He along with his family was living in Srinagar and had completely Muslimmised his politics. He had totally identified himself with the interests of Muslims/ terrorists. Even then, he was singled out for discrimination and

victimisation on the basis of religious intollerance and bigotry. If the person of Wanchoo was not safe in Kashmir. If Wanchoo's trust was betrayed in Kashmir, who other native Hindus trust will they maintain? After killing of Wanchoo, who can be depended in Kashmir ? It was again an indication that no Hindu could live in Kashmir safely and honourably.

What a pitty, the terrorists did not spare even one of the oldest man a centenarian in Kashmir Valley. Pitamber Nath Pandit, aged about 100 years, was living in his village vampura, District Puluwana. The numbered days of this old Pandit were snatched to create an awe and general wave of harrassment among all those Hindus still living in the Valley. It was 6th June, 1993 at about 4P.M. when Pitambar Nath Pandit was sitting outside his house in the courtyard. The five militants came to him and a number of bullets were pumped to his body, killing him on the spot. His Kins in the house and the sky above his head and the land beneath his feet, seen by Pandit for a century back, were the lonly mourners of his forced and cruel death.

Chabbi lal Kapur of village Chak Charath Ram, was the next Victim shortly after killing the Centenarian Pandit. The another group of terrorists in other side of the valley went to track down and slaughter another "Kafir", they came there on "purging opration" and gunned down this helpless Kashmiri Hindu on June 13, 1993.

The terrorists had and worked on a well thought over and calculated plan of religio ethnic cleansing in the Valley of Kashmir. Obviously, therefore, in pursuance to their nefarious designs and plans, the terrorists made members of the small Hindu community targets in the length and breadth of the Valley.

As far late as in September, 1995, a young man of Wanpoh-Pearay Lal Raina was killed deceitfully by the terrorists, adopting harsh methods. Since the Hindu population in the Valley has extremely been thined the terrorists go on occasionally now for killing of Hindus.

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Chapter-V

Darkness At Noon

Part-II

Kidnappings and abductions are also a regular feature in Kashmir. The terrorists have had twin purpose in it. First, they wanted to collect some information from their capitives and then were killed or released as suited the abductors. Second, they held them hostages to ransom. In some cases, they demanded huge amounts as ransom money and in other cases, they prressurised the government to release their selected men from the detention in exchange to the captives. Their ultimate fate, therefore depended on developments of the situation. The then governor of the State G.C. Saxena termed the abduction on july 2, 1991 as new element and said :

> *"................ the spate of abductions was new and disturbing attempt to internationalise an 18 month old insurgency in Kashmir."*[32]

Quite a good number of persons have so far been kidnapped by the terrorists. Many of them released after achieving their objective and others killed, while some are still in their captivity.

Among the earlier, important and interesting cases of kidnapping was that pf two Swedish Engineers, Jan - Ole Lioman and another. They were working on a big project in Kashmir which was being completed with collaboration of Sweden. In March, 1991 they were kidnapped by the terrorists and suffered very long captivity. K.

32 *The India West, California, July 5, 1991*

Durrswamy, Executive Director of Oil Corporation of India became another liability to the government. He had visited Kashmir to assess the requirements of the people so far as oil, oil products and other allied matters were concerned. He was kidnapped at Balahama near Srinagar on june 28, 1991 in presence of other local officials. For long he remained capitive of the terrorists and the government failed to trace him out, nor the Oil Corporation of India could take any retaliatory measures. After a long period of captivity, he was set free. As per government version, his release was secured unconditionally, which at the face of it, did not appear to be correct. According to other reliable sources, several dreaded terrorists were secretly released by the government in his exchange. A relation of the President of India, R. Venkatraman Reddy, Doraiswami thereafter added insult to the injury of the displaced people by offering to mediate with the terrorists. Could not the exiled community settle the matters with the terrorists, even by side lining the centre, once it shun the Indian loyality? It is painful to see how the people outside Kashmir mock at the exiled community.

The terrorists made abortive bid in June, 1991 to make six Israeli youths their hostages. These unarmed youths bravely fought back their armed captors, killing two of them on the spot. Israelis lost one colleague in this fight, four escaped, three of them injured, including Yair Frisch and Fli Maman and the sixth, Yair yitzahaki captured, was taken alongwith by the terrorists. They could not, however, withstand Israeli warning and surrendered.The terrorists therefore, soon after released the hostage unhurt and unconditionally.

As agaisnt this, the loyal Hindu Community was targetted, persecuted and wiped out from Kashmir by the terrorist mercilessly. But the insentive Central government bothered little for them who are now in exile for the last seven years. India and the world never tried to peep into their hearts, or listen their throbs and hear their sobs, marked with anguish and rancour.

Another long captivity was suffered by an ex-Bihar M.L.A., Pankaj Kumar Sinha. He was kidnapped around middle of June,1993, by terrorists in Srinagar after he had chosen to pay a visit to Kashmir

alongwith family. His release was also reportedly secured by exchange of some detained terrorists.

Kidnapping of five foreign tourists in Kashmir, 2 Britishers, 1 American, 1 German and a Norwagian, is also an unique example of its kind. They are : Hanș Christain Ostro of Norway, Paulwell and Keith Monigam (Both of Britain) Hutchings (U.S.A.) and Dirk Hassert (Germany). The Norwagian national has long back been beheaded by the terrorists like a sheep is killed by butchers in an Islamic way. The whereabouts of other four foreign nationals are not knwon, nor is known their fate. The government, however, says that they are alive. Their captivity is perhaps the longest one.They were kidnapped around mid 1994 in Phalgam area. Al Faran, a terrorist outfit responsible for these these kidnappings had also kidnapped. John childs, another American national on July 4, 1994. But he managed to escape. The wives and other relatives of the captives have made merciful appeals to their crptors for release of these hostages which have gone unresponded.

How is it advisable for others to visit Kashmir when is it internationally knwon terrorist torn Valley ? How it is fair for them to go to Kashmir when an important community has enmasse been dragged out from it and are on the road side ? Are they trying to belie their tragedy and agony or wishing to cherish their homelessness. Unless the gun is compeletely weeded out of Kashmir, the Central government must ban visiting Kashmir including government officials other then those connected with law and order and security.

On local level also, innumerable kidnappings have taken place. One instance is that of Dr. S.L. Khossa, Branch Manger New India Assurance Company, Srinagar. He was kidnapped by terrorists from his office in Srinagar and was held as a hostage for 95 days. This tortured captive was released finally in exchange of terrorists Nissar Ahamed Jogi. The government also conceded the other two demands of the terrorists. There were to bring a terrorist from outside the State jail into the State and shifting of a terrorist from Jammu Hospital to SKMI Soura, Srinagar. The terrorists had reportedly collected a huge ransom money also from the Insurance Company.

A noted Kashmiri Hindu couple, O.N. Wakhloo and Khemlata Wakhloo were kidnapped from Srinagar. They were taken hostages from their own residence despite JKAP personnel deputed on secutity duty there. After long confinement in the hide outs of the terrorists, the couple freed itself as per the government version. According to some observers, however the government is said to have conceded part of the terrorist demands, who let the couple go.

The three brothers, Ashok Kumar Bhat, Vijay Kumar Bhat and Daleep Kumar were kidnapped on December 20, 1993 by terrorists from Wagam, a village in District Budgam. Interned in their hide out at village Kutbal, Tehsil Chadora, the terrorists inflicted severe tortures upon them. They were also inflicted fire burns on different parts of their bodies. Before facing further torture and meeting death ultimately, the security forces rescued them.

Ghulam Mohamed Mir of Kanghal Achabal District Anantnag and his son were kidnapped by the terrorist from their house, in October, 1995. The height of the cruelty was that their house was first torched and then both father and son were kidnapped.

I do not intend to give here a large list of such cases. The above instances are meant to be only indicative and not exhaustive.

How the exiled community can develop faith and confidence to return and resettle in Kashmir ? The Govt. of India may say many a thing for their selfish ends. An occasional or a casual visitor from New Delhi or elsewhere, may find his trip to Kashmir harmless. But it hardly does justify return of the displaced mass of people to the Valley nor will it convince them about safety of their honour, life, property, religion and culture as well as about security of their future prospects there. The situation has become baffling and the possible solution is to be seriously thought over.

It should shock conscience of the community of nations that the Kashmiri Pandit Community, peace loving, gentle, literate and well mannered, has systematically been wiped out from the land of their origin. Its members were abducted, tortured, persecuted, maimed and

killed in a planned manner. Survivors were, therefore, forced to quit. Only about twenty thousand of Hindus are now left over in the Valley. Would the world connive at it and countenance annihilation of this tiny community in Kashmir ? Would the human civilizan afford to laugh, without peril over the plight and sufferance of this community ? The Kashmir Hindus, though meek in number but mighty in intellect and convition, pose today the above questions to the world fraternity of human beings.

The Hindus still living in Kashmir are a subjugated lot. They are no better than hostages. In case any one of them require to go out of the Valley, in the State or outside the State, he or she needs to inform the concerned terrorist Commander of the area. The visiting person has also to intimate the purpose and duration of the visit.

A permanent resident of Sehyar Srinagar, Badri Nath Kaul had to inform the terrorists about his contemplated departure to Chandigarh, through announcement in a local Newspaper. In his pathetic declaration, he says that he is an ailing person and his relations have already left that place. If out of the couple living there either of the spouse passed away, he said further, even no "Prohit" (priest) was available there to perform the last rites. In the end, he says,

> *"We are going now. God willing, we will be back next April. I hope, no body has any objection in our going out temporarily[33]".*

This letter clearly reveals the sad plight and state of conditions under which the Hindus live there.

In its report circulated to the Press a News Agency said that the Kashmiri Pandits who had not moved out, found "themselves living at the mercy of Pro-Pakistan militants and other extremist forces. Those living in rural areas are the worst affected as the militants rule the roost here."[33a] For paying a visit outside Kashmir Valley, they have to seek

33. *This letter is published in Srinagar Times, dated september 4, 1990. The original letter appears to be in English and the paper has published Urdu translation. The author has retranslated the excerpt quoted into English from Urdu.*

permission of terrorist outfits, endorses the News Agency. Its report further says :

> *"Kashmiri Pandits wanting to visit their relatives in Jammu have to first seek the permission of leades of various outfits. While the militants allow such visits. Sometimes they do not let the relatives enter rural areas."*[34]

A new Muslim code of conduct seems to be developing in Kashmir. No parallel instance of this kind, however, is perhaps available in any other part of the globe. An instance, where a Community with original roots in the land, is metted out such an indignified and deplorable treatement, and that too in the modern age of ending twentieth centuring, is yet to be known.

A hell of difference exists even between the "Hindu Migrant" and "Muslim Migrant" or for that matter, "Resident Hindus" and "Resident Muslim" in Kashmir. The religion of Muslim is safe in Kashmir. His religious places, mosques and ziarats are compeletely safe and protected. He is not to be persecuted and killed on the ground of religion. But the story of tragedy of Kashmir. Hindu mostly revolves round his religion. His religion, his religious places and shrines and his culture are not safe in Kashmir.

The Central Government may or may not be living in fools paradise, but it is no gainsaying that the dream of anti India and anti elements in Kashmir, has after all, come true. Whether the Central Government has formulated any effective policy to demolish this dream or not, no one knows. If it continues with its policy of drift and appeasement, the disintegration of India is bound to start from Kashmir, process for which has already set in.

Long after mass exodues of Hindus from the Valley, there was temporary thaw in torturing, killing and driving Hindus out. A number of Hindu families did not (or could not) move out. They stayed back in the Valley. But many of them were soon dismayed over the

33a,34. This report was circulated to the Press by UNI on or about June 3, 1995 and has appeared in the local press.

unpredictatable as also undependable behaviour of the terrorists. Exodus of Hindus in the Valley again, therefore, received spurt, though in a selected manner. It was not easy to go out. On finding opportunity some of the persons and families fled to the safey with empty hands and in destitute condition. Some of the families were shifted by the government itself from vulnerable areas to other places and in many cases, they were despatched out of the Valley.

> *"Fifty more families of Kashmir Hindus have migrated from Kashmir to Jammu and other parts of the country........... These families had migrated from Shopian, Baramulla and Pattan areas of the Valley following "desecration" of about 60 places of worship in the wake of Ayodhya incident."*[35]

The families were harassed and threatened. They could not withstand the humiliation and subjugation any further.

> *"Thirty more families from the Kashmir Valley have migrated to Jammu following 'intimidation' and harassment after the Ayodhya happenings....... The houses of these people were burnt and they were forced to migrate.*[36]

These families had resisted to leave the Valley but their living in Kashmir was made impossible by the Muslim fundamentalists, terrorists, seperatists and insurgents. As for late as in September 1995, further four Hindu families were forced to migrate from Kashmir to Jammu. These four families of Wanpoh, District Anantnag, comprised 40 members, headed by Mrs. Roopwati, Mrs. Prem Rani, Lakshman Joo and Mrs. Massa Raina, as their respective eldest members of the families. The Government protected them there and a boy of a family was kidnapped and killed by the terrorist after perpetrating torture upon him. The elements and forces have been involved in Islamic war and the entire Valley of Kashmir has been converted by them into "Dar-ul-Harb," the land for Islamic war. They are aiming and striving for converting Kashmir into "Dar-ul-Islam", an Islamic State. Accordingly, they are dead set total on religio-ethnic cleansing of Kashmir Hindus.

35. *The Hindustan Times, New Delhi, December 30, 1992.*
36. *The Indian Express, New Dehli Janauary 4, 1993.*

"The tall claims made by government to initiate political process in the Valley is proving hoax as fresh migration of minority community is again on increase."[37]

From different parts of the Valley seven Hindu families had moved to Jammu in a huff within the couple of days in the last week of January, 1993. The terrorists torched their houses and religious places in their localities as aftermath to demolition of a structure at Ayodhya on December 6, 1992. They were threatened to quit the Valley within 24 hours and as a measure of harassment and humiliation, some of their members were kidnapped and kept hostages for hours together by the terrorists. During this time, they stated, the hostages were physically tortured. Narrating his woeful tale of forced migration, one of the sufferers, Badri Nath Boyu of village Shalhar, tehsil Ganderbal, stated that terrorists had already kidnapped thrice his only son Ramesh Kumar and his wife Sarla Devi. He said :-

" Though the local people helped me to get them released during the last three occasions, they showed total helplessness when the armed militants tried to kidnap them fourth time during night of our migration. We left our all belongings after getting shelter in another locality one Km. away from our home."[38]

Badri Nath Boyu was the Pujari (Priest) of the ancient, sacred and important temple at Shadipur, known as Prayag, a substitute for Sangam of Allahabad, to perform puja and immense the ashes of the nearest and dearest dead ones of Kashmir Hindus at the confluence. His attachment to this temple had made him to stay in Kashmir. He was not aware that the situation will become so critical in the Valley and the sacred temple like Prayag will be raised to ground.

"I was attached to this temple from my childhood and had no idea that I would be compelled to leave it during

37. The Excelsior, February 2, 1993.
38. Ibid

my life time."[39]

Mohan Lal, resident of village Rohan pura bewailed that terrorists were so callous that they did not allow them to take out from their getting houses any belongings, which they burnt down.He said :

> *"All the houses and religious places of the minority community (Hindus) were torched by the militants forcing us to quit the Valley. The situation became much critical after the removal of army bunkers in the area leaving us at the mercy of gunwielding militants."*[40]

Amer Nath Wali of village Darveshnagar, Tehsil Doroo was among another lot of migrants who reached Jammu in June, 1993. His family consisted of six members and were often harassed, compelling them ultimately to leave the house in abject condition and pennury without being able to get any belonging alongwith. The family stated categorically that the conditions of Kashmir were critical and it was wrong to believe that the Valley was returning to normalcy.

Against Ayodhya incident or Babri Masjid episode of December 6, 1992 as it is called, the remnant Hindus in Kashmir Valley were harassed. The Hindu temples and shrines were desecrated, damaged or destroyed. In addition thereto, the properties of many exiled Hindus was also destroyed. In village Chingund Tehsil Dooru for instance, all the 28 residential houses of the displaced Hindu families, alongwith cowsheds, Kothars and other structures, were set ablaze and raised to the ground on December 8, 1992.

While informing the Police concerned about it, Abdul Gani Ganai, the chowkidar of the village, clearly stated that after hearing the news on Radio and T.V. about Babri Masjid, the muslims turned furious and torched the Hindu property.

> *" In the FIR about this total annhilation and destruction of Kashmiri Pandit property in Chingund Dooru, it is clearly stated that a violent Muslim mob attacked and burnt down*

39. *The Excelsior, February 2, 1993.*
40. *Ibid*

all the houses, cowsheds and kothars of Hindu of the village in the wake of Babri Masjid episode"[40a]

The FIR registered by the Police in this behalf is in Urdu. It is a strange situation that the Kashmiri Muslim fundamentalists and terrorists pose to stand for seperation and unconcerned about Indian affairs. At the same time, however, they identify themselves with the Indian fundamentalists and other Muslims and launch violent protests for them. But Hindus in rest of the country, neither register such protest for Hindus of Kashmir, nor for their innocent civilians, kidnapped or killed in Kashmir by the terrorists. Where does the Kashmir Hindu stand who is the target of every one, governmental and non-governmental agencies included?

The terrorirsts virtually rule the Valley and the civil administration has collapsed. The orders of the terrorists are carried out voluntarily or under threat and the government agencies in the Valley work under their command. After burning School buildings, bridges, government offices, rest houses and other public and government structures and buildings, the government funds are provided for their reconstruction. The terrorists give their own men who work as contractors and take, over and above, their high percentage of commission in the work executed nominally.

The terrorists have already overtaken the local administration and captured the jobs snatched from the members of the displaced Hindu community. They have infiltrated their own men in different government offices and got them appointed easily, some times in accordance with the Rules of Recruitment and other times in disregard and flagrant violation to those Rules.

For all those wrongly recruited and absorbed in government service the salary bills are regularly prepared, signed and forwarded to the concerned treasures and departments for drawal of the amount which is released unhesiatingly and disbursed among such so called government employees, without any objection and hindrance from the

40a. The FIR filed by the chowkidar of the concerned village as the news nas appeared in the Samachar Post, Delhi.

AG's and other concerned departments.

If the Islamic Court of the terrorists hold anybody guilty and award him capital punishment, the guilty is hanged or killed and the corpse thrown in the open on the road side, without the government agencies being able to save, protect or rescue him. The supposed government informers had to face the severe punishments.

A one time assessment of the State Department USA, inter alia said :

> *"Militants maintained a reign of terror in the Kashmir Valley throughout the year, togetting security force personnel, supposed police informers and other perceived as opposing their cause."*[41]

Such things mostly resulted in the mass exodus of the members of Hindu Community from Kashmir. This exodus mostly took place in the first couple of months of the year 1990.

The displacement of Hindus included many Sikhs who also were compelled likewise to leave The Valley.[42]

I have also interviewed many displaced Sikhs, who narrated the tales of coercion and threatenings hurled by the terrorists which compelled them to leave the Valley. A number of Muslim families had also to quit the Valley fearing violation of modesty of their young women and girls and political persecution at the hands of the terrorists. Initially, members of the Hindu Community were maimed and /or killed by the terrorists out of proportion to their numerical strength in the Valley in comparison to the casualty suffered by the Muslims. Such like factors also contributed to the mass exodus of Hindus from Kashmir.

According to a statement of the Central government in 1991, over 72,000 Kashmiri families had been registered as migrants in Jammu

41. The Indian Express, Chandigarh, 5-2-1992.

42. S. Bhagat Singh Sandhu, convenor of the Sikh Sangat J&K, Jammu, confirmed the displacement of Sikhs in a statement on February 22, 1992, and clarified "Sikh Community has also been affected by militancy and many Sikh families have migrated from Kashmir, presently living indeplorable condition."

and Delhi till June 1991.[43] In Delhi 17,000 Kashmiri migrants were registered with Delhi Administration, till April 1991 out of which only 4000 migrants were paid cash relief.[44] In addition thereto, the displaced persons were scattered in many other parts and places of the country. Most of them do not get any cash relief. Many of displaced Kashmir Hindus have not been registered or are not registered as Migrants anywhere, nor do they get any relief. They do not, therefore, figure anywhere, though they are very much Migrants of 1989 or thereafter.

The Central Government fixed the number of exiled around at "2.5 lakh persons belonging to various communities" but mostly the Hindus, who are estimated to have migrated to different parts of the country from the Kashmir Valley in the wake of terrorist violence.[45]

As already stated, many Muslims have also gone out of the Valley on different considerations. They included those politicians and political activists who were on the hit list of the terrorists or apprehended physical danger from them; those who are fed up with the terrorists and the huge extortions made by them often, upsetting their business prospects; those who want to explore business outlets outside the State to improve their business prospects; those who are very serious about the education of their children and wards, and so have taken them out to prosecute the education and sexually assaulted or apprehended forcible marriages or molestation of their young and unmarried girls. The migration of all the above categories started only after displacement of the Hindus from Kashmir Valley.

Strictly speaking, only the first category aforesaid falls within the displaced persons among them.

Whatever category and number of Muslims from the Valley have been treated as "Migrants" by the Government, none of them

43. *This was the written reply given by the Minister of State for Home, Mr. M.M. Jacob in Lok Sabha on August 8, 1991.*
44. *These figures are based on the interview of Mrs. Shanta Kumar, the then Relief Commissioner Delhi as published in the Samacher Post, Delhi, April 28, 1991.*
45. *This was stated in written reply on March 11, 1993 in the Lok Sabha in written reply by the Minister of State for Internal Security, Mr. Rajesh Pilot.*

lives in the camp or tent. They have mostly been provided special facilities and concessions in discrimination to and unlike of Hindus, by the Government, treating them as a class apart on the ground of religion. It is clear infringement of provisions of Constitution. Again a government nexus with the Islamic fundamentalist groups and terrorist outfits is witnessed. The ISI and Muslim saboteurs and fanatics find echoes of their Muslim superiority and upper hand in the State Administrative apparatus and sway the day to day affairs of the State. Paths are diverse but all converge on one and the same goal. In this darkness, the displaced community do not see any streak of hight. Its members will rise into revolt with the support of other patriotic people in the country, if they really do and without them if they do not. Upon this depends alienation of Kashmir exiled people or continuance of their unflinched loyalty. They will have to determine their future course of action accordingly.

Kashmiri Pandit never puts up with the humiliation, nor like to see his vanity hurt. He becomes vindictive to react, retaliate and strike. This is ingrained in his nature which finds expression in different ways and manner. It is now to be seen as to how the Indian people and the Centrl Government deal with the exiled community. Also remains to be seen how the Kashmir Muslim community and its leaders now act and react towards Kashmir Hindu community.

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Students demonstrations

Chapter-VI

Faltering Centre-Despotic Governors
Part-I

The idea of Islamic Kashmir blurred vision of many Muslims and affected their line of thinking. The Hindus in general and pro-India and nationalist Muslims in particular, could hardly adjust in this scheme of things. Hindus of any political hue and colour, were not tollerable and had to face tough time in Kashmir. The chances of their survival, under these circumstances, were very remote there.

The coalition government of National Conference and Congress party in the State headed by Dr. Farooq Abdullah could neither give a good and efficient government to the people, nor a clean administration. His misgovernment further brought the state to the verge of disaster. The then Janata Dal President V.P. Singh had to demand the dismissal of Farooq government in a Press Conference addresed in New Delhi in october 1989. He said :

> *"The State government has failed to crush the terrorists and secessionists.............. After dissolving the Farooq Ministry, fresh elections should be held in the State[47]"*

The Congress government in the Centre, however, reacted to the situation indifferently. Ignoring all reports and notes of caution, advices and suggestions from its own sources and agencies, it allowed the conditions to deteriorate as if the Central Government was

47. *The Qammi Awaz, Srinagar, October 2, 1989.*

unconcerned with the wail and woe of Kashmiris in particular and the Hindus in general. Leaving Kashmiris aside, this attitude was nothing short of playing with the national interests in Kashmir , advertently or inadvertently. The lack of much needed initiative for appropriate and drastic action, landed Kashmir in an acute type of crisis, involving Kashmiris in life and death struggle.

But, what V.P. Singh and his Janata Dal did when they themselves came to power soon thereafter? They worsened the Kashmir situation and brought it to the present pass. The Hindu community, with long distinctive history was completely uprooted and rendered homeless, The caste afflicted Prime Minister's first Himlayan bullander was his apointment of politically conflicted Mufti Mohamed Saiyyed as Home Minister of India. A refluent with bias and prejudice, Mufti Saiyyed caused further damage to India in Kashmir and packed Kashmir Hindus off from the Valley. Coming of both these morbid politicians at the helm of affairs in the Centre, was prelude to the creation of unhealthy atmosphere of tention and destruction throughout India and particularly in Kashmir. At the eve of Jag Mohan's taking over as Governor of the State second time, Dr. Farooq resigned from the office of Chief Minister on January18,1990. His resignation added fuel to the fire. The National Conference workers took it as a singnal to support the insurgency and terrorism in order to show the Centre down which in fact, Dr. Farooq aimed at in collusion with Congress President Rajiv Gandhi.He impliedly, therefore, joined the forces of Muslim fundamentalism, secession, terrorism and insurgency.

It added to the mess created already, which was mostly of his own seeking. He thereby boosted up the morale of all those anti India elements whether in arms or without arms, having risen against the Hindus primarily and the secular India mainly. He as such, lacked the will to fight out insurgency and crush the terrorism. He was rather, one of its sponsors . His resignation was an escape from facing the situation created by him. It was also an indication to his followers to help the forces of destablisation, communalising the situation, eliminating . Hindus, destablising the country and seceding Kashmir. With his resignation, the terrorism received impetus in Kashmir. A man, who

deserted Kashmir and Kashmiris at the time of catastrophe and calamity and flew to England, alongwith his family, can hardly be relied upon. How such a man be in future interested to face any such eventuality, if this type of situation emerged again? He had already enough opportunity to establish his sincerety and bonafides by fighting out the forces operating against the communal aimity, Accession and integrity of India. He, however, gave in and backed out, leaving the people in the lurch, which paved way for Governor's rule. It shall be constructed Farooq's surrender before these inimicol and anti India forces. It also amounts to succumbing to the grave situation, causing his own political casualty. He lost all claim, if there was any, to hold the power and to come once again, at the helm of affairs of the State.His political revival therefore, becomes now out of question unless the political reality, morality and fairness is sacrificed on the altar of political cunningness and convenience of party politics.

Dr. Farooq's backing out at such a critical juncture of the Kashmir history, provided some justification for dissolution of the State Assembly by the Governor.He, however, failed to appreciate the political niceties involved in the situation. Jag Mohan had a cover to face the scathing criticism for dissolving the State Assembly. V.P. Singh had already made a press commitment, though before coming to power, for dismissal of Farooq Ministry and to hold fresh elections in the State Governor did the same but could not say aything about holding the fresh elections. The situation had, therefore, materially differed in that the prospect of holding new elections so soon were absolutely dim. It is a moot point , as such, whether the statement made by V. P. Singh, Janta Dal Presidient , had any relevence after he became the Prime Minister. For, the conditions of Kashmir had worsned by the time the Governor's proclamation about dissolution of Assembly was issued.

It was Dr. Farooq Abdullah himself who obliged the Janta Dal leadership by resigning as Chief Minister. His resignation was partly on his own and partly at the suggestion of outgone Prime Minister, Rajiv Gandhi. The latter had sent a special plane to Jammu to bring the former to Delhi for consultations. Dr. Farroq came back on the same day by the same plane and tendered his resignation. Jag Mohan, basically

a non-political minded and self conceited, displayed incapacity to guage the political moves and subtalties and dissolved the Assembly hastely. He did not assertain and explore feasibility of finding a better Chief Minister. He wanted to rule himself and impress prehaps that he could take any vital and veering decision which he undoubtedly was capable of. But the political sagacity and the sensitivity of the developing situation called for more cautions exercise of power than was done. The situation demanded statesmanship of high order than mere administrative skill of the normal times to handle it. The bright aspect of it was that Dr. Farooq Abdullah had himself resigned. V.P Singh and Jagmohan both erred in defering or taking their respective decisions: V. P. Singh for resiling from immediate implementation of his earlier demand for dismissal of Farooq Government, after assuming power and Jagmohan , for taking a hasty decision in dissolving the Assembly. Both had ulterior motives. And the Home Minister of India, Mufti Mohamad Saiyed, saw his own game in dissolution of the Assembly: to directly influence and interfere with Kashmir and its administration through the Governor. The threat of alive and functional legislature as well as of acting and surviving MLA's, likely to keep a liason betweent the Governor and his administration on the one hand and the public on the other, was eliminated. The chance and channel of accountability and public liason, though slightest was done away with. The result was that the Governor assumed despotic powers and role. His Advisors and the burequcrats, all function in arbitrary manner, The loot, corruption, inefficiency and public apathy in the administration is at the climax.

No scope for public resistance to the new cult of violence has been left, no matter in what form and to what extent it could have been otherwise possible. The public had, therefore, alienated from the government. The State government being run by the Centre through the Governor and his team of Advisers, the public has consequently drifted away from the centre. This attitude ultimately went to the root of Kashmir trouble, it caused further destruction of Kashmir and ruin of its people. The result of this all was that Kashmir Hindus lost all roots and moorings in Kashmir. Be as it may, once Jagmohan was given free hand to tackle the grave situation in Kashmir , he should have been allowed sufficient time to implement his plans, if any, to put Kashmir

back on track of normalcy. Janta Dal Government caused further ruination of Kashmir which they brought about callously. In this proces's Kashmir Hindus got liquidated in and eliminated from Kashmir.

Jag Mohan's second term of Governorship was beset with acute problems. He tried to tackle the situation with his administrative skill and did succeed to some extent. But it was not a durable success. It appeared to be a lull before the storm. The Hindus were nevertheless, hounded out from the Valley. Frankly speaking, mass exodus of Hindus from the Valley, brought no laurels to JagMohan . It was his failure. He apparently could not protect and safeguard the Hindus and nationalist Muslims there. Any other success, howsoever important, pales into insignificance before this migration, forced upon them by the circumstances. To lose the birth place like this, even temporarily, has various ramifications which need not be put here in black and white. Seventh year of exit from Kashmir is running and the displaced community is , by and large, shelterless and peaceless, undergoing constant mental tension and torture, passing days in bedeviling uncertainties. A sizable number is still living in "Migrant Camps" at different places. What Jag Mohan could not do for the displaced people in the Valley, itself, he did that for them promptly in Jammu. His beneficial measures for them and other decisions, have earned him their admiration. But the fact remains that the main Hindu mass migration took place during his tenure, which the history will not take lightly.

The absence of a tiny community from Kashmir continuously for such a long period , has made a material change in Kashmir to the disadvantage of the displaced and dispossesed community. Jag Mohan's all help notwithstanding, the displaced community, has lost all moorings They have lost, over and above, their home, sweet home.

A Kashmiri proverb " Patran sag moolan droth" (cutting the roots and nourshing the leaves), is precisely what has been done to the Kashmiri Pandit community. It finds today itself rootless and homeless, which has also made it rudderless.

The exodus of Hindus form Srinagar and some main towns of Kashmir Valley in 1989-90, let down the Hindus living In the countryside, who could not face and withstand the terrorist onslaught, harassment and the explossive situation singly. They were also compelled to leave the Valley under the hostile atmosphere. During the previous attacks made by Pakistan, the displaced Hindus from the affected towns and villages used to rush down to the city for succour and safety. This time they had no place to take refuge as the life in Srinagar itself was in danger due to terrorism .Whether the city, town or a village, the Hindus were endangered and many of members butured dastardly throught the Valley.

The added factor is that the Hindus of Kashmir had no leader of cousequence, who could have them organised and led. Politically men of low profile used to capture for long their traditional organisations and exploited the same for their personal agrandisement, unmindful of the tasks the situations enjoined them. They never bothered even to collect the social and economic data of the community, living in the length and breadth of the Valley, to form the basis for any planning and strategy. Some of their statements were more damaging and harmful and showed their utter ignorance about the factual strength of the community. They chose to remain in their blessed ignorance.

The political minded, conscious and thoughtful persons, however, had aligned with the national and other political parties, thus creating in general, bankruptcy of men of worth and capacity in these local Hindu organisations which generally claimed to be non-political and social. Their men in fact, poked their nose always in politics and did nothing other than naive politiking at the cost of the community. The Kashmir Hindus in general are also responsible for their plight. They even lack the spirit of creating the leader or rallying round a leader of whatever hue and colour he may be, and following him tenaciously. This has also given a setback to the Kashmir Hindu community, which is suffering because of its minus points as well. As a consequence of mass exit of the Hindus from the Valley, the nationalist and pro-India Muslims (Whatever the number) felt some what helpless and demoralised. . It left no hope of organising nationalist resistance

alongwith the security forces against the terrorism and insurgency, in whatever form, shape, manner and extent it could be possible.

The total isolation and disappearance of pro-India mass of people from the scene, left the field open for over all domination of the terrorists. Before Hindus quiting the Valley, the forces should have been mustered and drawn to participate in the resistence at least, by enlisting their co-operation and help in running the Administration as also in channelising the other activities in different spheres and in different ways. The tragedy is that the Governors mistakenly thought themselves as substitute for the local leaders and also over lords of the people, which further alienated them imperceptibly. They combined all powers and authorities in themselves. It was not a case of "two in one" or "three in one" but "all in one". Their functioning alongwith the Advisors is not only arbitrary, but also perfunctory viz-a-viz public matters. I had a talk, therefore, with some of my Muslim friends before I left to meet the Home Minister. I am knowing Mufti Saiyyed for very long. But when I met him in Delhi, he could not inspire confidence in me, nor I felt he could deliver the goods or be trusted upon in that crucial time. As such, I did not disclose my mind to him, nor the proposal. I, had mooted with my friends in Srinagar. I therefore, changed the topic, though he had asked me about the feasible solution of the problem. I some how felt that the Central Government would dupe us and so deemed it not proper to involve them and risk unnecessarily the lives. I dropped the proposal as I was responsible before my friends and not the union government.

With mass exodus of Hindus unifilled political void was, therefore, created which received impetus by Dr. Farooq's resignation as chief Minister and by his disappearance from the scene. All these factors helped spread of militancy, terrorism, insurgency and feelings for seperation in Kashmir like a wild fire. It was due to laok of political wisdom and consequent inability to formulate an effective and proper strategy and policy.

On the unceremonious termination of Jag Mohan's Governorship, some sections of Hindus strongly protested in Jammu and called indefinite Hartal, demanding him back as Governor and

crushing the terrorism with firm hand. But self centered as he has been Jag Mohan struck a bargain with the central government and accepted nomination to Rajya Sabha, dejecting all those who had come forward to support him and to fight for bringing him back as Governor and also finalising the Kashmir policy by giving it a definite shape and direction.

His compromise with the Janata Dal gave him a set back and the people inferred that he was simply a job seeking bureaucrat, from whom nothing much can politically be expected. After George Fernandez was made Minister incharge Kashmir Affairs, he visited Kashmir several times. He totally ignored and bypassed the Home Minister and the Governor and took some unpalatable decisions on the spot. The Governor did not resign as protest, nor indicated my resentment. But he chose to cling to the exalted ofice till his assignment was later terminated. Many People do not know that it was Mufti Saiyyed who brought Jag Mohan as Governor of Kashmir second time. On the basis of old equations with him, Mufti Saiyyed decided to get also suggested his assignment subsequently. And in turn, Jag Mohan toed the line of Mufti Saiyyed in Kashmir unwitingly.

It was Home Minister Mufti Saiyyed who wanted exodu. of the Hindus from the Valley. Kashmir Muslim leaders were always interested in seeing Hindu population decreased in the Valley. They also wanted to see de-employing or non-employing the Hindus. There was no variance among them on this point. Difficult though it had appeared, but they achieved their objectives conveniently after mass exodus of Hindus from the Valley of Kashmir.

Home Minister, Mufti Saiyyad had or could have a multipurpose plan in seeing the Hindus quit the Valley ; Firstly, to avoid and avert the likely adverse reaction in rest of the country against the harassment, torture and indiscriminate killings of Hindus in Kashmir by the Muslim fundamentalists, terrorists, insurgents and secessionists. Secondly, by Hindus fleeing, the Valley, their killing in Kashmir would automatically come to an end in the Valley for being absent from the scene ; Thirdly, Muslims would be and in fact were, besides their own quota, also absorbed exclusively on jobs held previously by displaced Hindus ; Fourthly, the new vacancies created would exclusively be

filled up by the Muslims in absence of Hindus, giving them total control over the services in the Valley; Fifthly, a nominal number of Hindu candidate would compete for Admission to Medical and Engineering Colleges, Srinagar, thus leaving the field open for the Muslim candidatures; Sixthly, by absence of viable Kashmiri Pandit community in the Valley, some Muslim section's would feel elated and satisfied to have thus converted Kashmir into a virtual Islamic State.

Apart from why and how this all happened, the fact is that the Valley has assumed total Islamic character and has emerged as an autonomous Islamic State within the Union of India. The politicians, the rulers and other authorities in the country are hoodwinking the nation and are feeding it on false information and assertions, concealing the ground realities.

Overlooking this fact, a rumour was floated in Kashmir that Jag Mohan evacuated Hindus from Kashmir purposely so that, according to rumour mongers, he could suppress and crush the population of other community ruthlessly there. The irony is that Muslim intelligentia and high ups in the state administration also shared this view. I was one day amused to have a personal enquiry here by secretary of a Govt. Department, a Kashmiri Muslim, regarding the same matter. He asked me ; Is it a fact that Jag Mohan ousted the Hindus purposely from the Valley so that he had ruthlessly bombareded Kashmir and killed the remaining population ? Kashmiris are expert in rumour mongering. I laughed on hearing the question and asked him how could that be possible when the Home Minister of India was himself a Kashmiri Muslim? I explained to him that on gutting of some Muslim houses, at Handwara, he visited the town immediately. When informed by the locals that the houses were allegedly torched by the Security forces, the Home Minister reportedly told them to burn the Hindu houses in retaliation. From that day onwards the torching of Hindu houses started throughout the Valley and continues even now. Also their other properties are stolen looted and plundered and pilferaged. How could it be then possible to bombard the Muslim population of Kashmir? I added. The enquirer paused and found logic in my reply.

Kashmir has received a great injury and suffered an indescribable damage during the Home Ministership of Mufti Mohamad Saiyyed. Governor Jag Mohan was "His Master's Voice". During communal frenzy of 1986 which overtook South Kashmir, many Hindus were manhandled, their houses damaged and burnt, about four dozen Hindu temples and shrines burnt, demolished or damaged and their priceless images of stone and other valuables either destroyed or stolen. As a result of this many Hindus left Kashmiri for good in 1986 itself.

The Hindus of South Kashmir (which Mufti himself belongs to) had lodged an open and strong protest against the involvement of the then State Congress leader and Central Tourism Minister, Mufti Saiyyad in those communal disturbances.

> *"Hundreds of houses, shopes and temples belonging to the minority Hindu community were burnt or looted. It is alleged that Mufti Mohamed Saiyyad, then State Congress. I president, had engineered the riots to bring down the Congress supported Shah government. After the riots Shri S.B. Chavan the then Union Home Minister, visited the riot hit areas. He had reported in his letter to the then Prime Minister Shri Rajiv Gandhi. "I have toured almost all the affected areas of the Valley. I have visited every damaged building, religious or private house in Wanpoh, Lukbavan, Fatehpur, Gautem Nag, Salar (Anantnag District) Sopore, Akoora. The damage done to individual property, houses, shopes and temples is substantial. But much greater damage has been done to the psyche of the Kashmiri Pandits".*[48]

The 1986 riots, were a warning to the Kashmir Hindus, either to change their faith, political and religious, or to buzz off from Kashmir. It was no less a warning to the Central government too, to wind up its show as its writ would not run in Kashmir. Some of the Hindus in dejection, therefore, purchased small plots of land outside Kashmir, for residential purposes. It was a clear indication of lack of faith of the Hindus in the leadership and the government both, State and Central.

48. *Genocide of Hindus in Kashmir P.6. Suruchi Parkashan*

The Hindus were obviously convinced that they had to undergo a rough weather in Kashmir. Alas ! could Central Government also perceive the ground realities in Kashmir and took accordingly necessary and appropriate measures to avert and prevent the development of ugly situation now forced.

> *"The riots sent chill down the spine of the Hindus. The local police remained a mute witness to this holocaust as hired goondas, musclemen indulged in looting to their hearts fill. The events did not stir the Central Government to come out of its intertia. However, the faith of Hindus was shaken. A small number of Kashmiri Hindus was migrated to Bahadurgarh (Delhi Border), Jammu and Udhampur. The migration went unnoticed".*[49]

It ultimately led to Mufti's resignation from the Congress Party as well as Ministership. Jag Mohan was Governor of the State then and afterwards also when he witnessed the new phase of Mufti Saiyyad as Janata Dal Home Minister, Kashmir came under the spell of Governor's Rule both the times. Mufti advanced the unfinished communal task of 1986 and made the Governor a vassal to carry his political armour to the destination he had set for ruination of Kashmir Hindus. The self centred Governor, Jag Mohan rewarded Mufti for his patronage by ever maintaining, mysterious silence abot his destructive role in Kashmir during both the tenures of his governorship. For his personal ends Jag Mohan saw a colossal damage done to Kashmir through Rajiv Gandhi only and not through his Congress leader and Tourism Minister, Mufti Saiyyed and absolutely not through Janata Dal and its Home Minister Mufti Saiyyed. He was chosen not to see the other side which has brought Kashmir exiled to the point of dispersal, destruction and extinction as a Community of Kashmir.

I have never been in favour of Congress policies. I am also conscious of the vast damage Congress Party and its government wrought to the whole country, not to speak of Kashmir only. But in a

49. Genocide of Hindus in Kashmir - P.7., Suruchi Parkashan.

broader perspective Congress party and its government is still lesser evil.It has a mind to annalyse things and also nerve to strike. This will not, however, immune it from the various charges of serious nature.

After displacement of a mass of people from Kashmir, Jag Mohan facilitated their living in Jammu and other places. He paid salaries to such government employees. The precedent for this was already set by the Kashmir Government in the case of Kashmiri Muslim employees, who had earlier fled from Ladakh due to Budhist Muslim clashes there. But treated them on duty and not on leave. He also paid monthly relief to the other deserving persons, outside the Valley. There has been precedent for payment of monthly relief to the displaced persons, set up by the State Government way back in 1965 and also 1971, plus other facilities, coming from as they did, Nawshehra, Chhambh etc. There had been regular Ministries for Relief and Rehabilitation working for many years. It is not that the Relief was specially allowed for Kashmir displaced persons only. It is sad that Jammu has become a place for refugees. Certain steps taken by him, alleviating immediate misery of displaced people, inspired them with confidence in him. Keen as he was to see their survival, the displaced were pinning many hopes on him and his presence gave them a psychological satisfaction. He has been, therefore, the only Governor who has earned a lot of admiration from them. His dynamism apart, Jag Mohan had a good public liasion which none other Governor has had. He used to meet the people. His orders were executed by the bureaucrats and the other subordinate officials. This all is quite in contrast with other Governor's past and present, who have proved shy to meet public and rectify their grievance.Seldom if in any case, they would issue any directions in connection with any grievance, the bureaucrats would not bother to comply with and carry out the directions. This distinction goes to the credit of Jag Mohan alone.

Girish Chander Sakseena came as new Governor of Jammu and Kashmir. He did not bother for running the civil administration effectively. His main concern was to appease the people of Kashmir and to deal with terrorism. He cared little for the displaced Hindus. He focussed his attention more on the Muslim Migrants from the Valley

than the dislodged Hindus staying in Jammu. The Muslim Migrants constituted of two groups; those who were in power directly or were connected with corridors of power indirectly, fearing reprisals in Kashmir, preferred to station at Jammu ; others were struggling political activists unconnected witl power and were likely targets of terrorism in Kashmir.

The Governor-representative of Rashtrapati of India made discrimination between Hindu/Sikh dispossessed people on the one hand and Muslim displaced lot from Kashmir on the other, in different spheres of life. He termed the latter as persons having "made great sacrifices for the country" while issuing the secret instructions to the concerned officers for grant of a favour/concession, denying the same to the homeless Hindus/Sikhs in Jammu. Did he think that non-muslim exiled people's sufferance was not a sacrifice for the country and so not deserving concessions? This shameful, defective and discriminatory thinking and policy underlies every work plan and strategy. This is what India means to a Kashmir Muslim and how it treats a Kashmir Hindu. This hell of difference has started the process of alienation of Kashmir Hindu from the Centre. The Deputy Commissioner, Jammu vide his letter dated December 25, 1991 addressed to The Relief Commissioner, Jammu conveyed him the directions of the Governor to release six months advance cash relief and the amount of cash equivalent of their rations, to the Muslim Migrants. The letter is marked as "Top Secret", and reads as under ;

> *"His Excellency called me to his office on the 13th December, 1991. This was regarding a deputation of Muslim Migrants from Kashmir who had made great sacrifices for the country. His Excellency desired that they be given relief for the next six months in advance.*
>
> *He further desired that the cash equivalent of their rations should also be given in advance for six months. You are accordingly requested to make the required funds available to the zonal officer dealing with Muslim Migrants."*

The Muslim Migrant political leaders/party office bearers were provided all sorts of help and assistance by the Government, State and Central. They have been provided free accomodation in Jammu and Srinagar, personal security staff, travel tickets etc. Besides, they were also paid monthly huge unccountable amounts by way of relief to and maintainance of their undisclosed Migrant Muslim workers. A few examples are :

S. No.	Name & Party Post	Monthly Relief paid for workers	Accomodation provided in Jammu/Srinagar
1.	Mohd. Yousuf Tarigami General Secretary J&K CPI(M)	=Rs.17000/-	Yes
2.	Peer ghiyas ud-Din Vice President J&K Pradesh Janata Dal	= Rs. 13000/-	Yes
3.	Abdul Rehman Jukroo	= Amount not yet known	Yes
4.	Pyàre Lal Kaul General Secretary J&K Pradeshi Janata Dal	= NIL	NIL

I had also some Hindu workers here as Migrants, but I could not render them any help. One of such respectable worker was compelled to go back to Srinagar after some years of migration. The government has grabed my money. What could it give me? On public cry, this particular relief amount was, however, discontinued to them. It neverthless shows the mind of the government and its working. This is purely a Muslim communal and anti Kashmiri Hindu policy. This double faced and discriminatory policy will go to the root of India in Kashmir and such a policy has already shown its results.

The State Tourism Department jointly to with its other wings, Phalgam Project and Gulmarg Project organisations have the knowledge of the Chief Secretary, Advisor and the Governor, deprived me of quite

a handsome amount which included travel expenses, court expenses, monthly Retainership and Counsel fees bills.

Even the Centre's Khadi and Village Industries Commission has also turned to be an unfair Institution. Its J&K Directorate has also grabbed my good amount. For that matter, Indian Airlines, Vayudoot and Oberoi Palace Hotel have also not paid my bills due to migration. But the Tourism with its allied wings and KAV Commission have not paid my dues of money with intention to grab the same which amounts to penal deprivation of the dues on their part. The entire system appears to have decayed and worn out, basing its existence on inefficiency and corruption from top to bottom.

A tirade launched against displaced Hindus by some elements in Jammu, demanding their quiting Jammu and going back to Kashmir was taken by him lightly. The Kashmir displaced Hindus were being forced to have another exodus from Jammu. They were reduced to gypsies with no citizenship rights, nor even the other human rights. About this fate of these homeless people, a delegation of Kashmir Hindus called upon the Governor and invited his attention to this dangerous trend. I was also in this delegation. When the Head of the State assumed the position of head of the Administration also, he is supposed to know and take the notice of this dangerous political development. But to the astonishment of the delegation, the Governor had been unconcerned about it and wanted to know certain facts from the delegation itself. Some details of this tirade against exiled Kashmiri Pandits have been given elsewhere in this book.

The Governor's attitude refleceted Centre's policy towards the people of the State. It was one of discrimination and denigration of Kashmir Hindu/Sikh displaced people.

When there was a move in the Central Government to terminate assignment of Girish Chandar Saxena as Governor, he reportedly sent a word about it to Shiva Sena Chief of Jammu, Devindar Shastri. The letter was prevailed upon by him to use the good offices of Shiva Sena Supremo, Bal Thackery to persuade the Prime Minister P.V. Narsimha Rao to retain him as Governor in Kashmir. Shastri is said to have gone

to Bombay and rendered this service to Saxena which got him extension as Governor.

Saxena was not, however, inaccessible. He also framed a public Committee, which he termed as Advisory Council and held various meetings with them. Through this Council, he kept public liaison for any major public complaints and grievances in the field of develplment. This was an important grievances remedial channel, though only for a limited purpose of development, set up by him which goes to his credit. But here also Kashmir displaced community was singled out and none of their public men was inducted in this Council. He was succeeded by General (Retd.) K.V. Krishna Rao, who was already after this assignment. Terrorism had started during his first term as Governor. He had no perception of the ground realities and, therefore, failed to prepare and send a detailed note to the centre highlighting the serious omissions and commissions of Farooq/Government, which created volatile situation as also likelihood of imminent break down of the Constitutional machinery. He instead tendered his resignation letter. This time he came to rule Kashmiris as if an alien Governor is appointed to rule the people of a colony.

In olden times, Afghan kings would rule Kashmir through their callous governors. New Delhi appears to be ruling Kashmir through public shy Governors. His assignment as Governor raised many an eye brow. After he took over, All India Kashmiri Samaj displaced Action Committee. Jammu sought an interview with him for placing some burning problems of the displaced people before him. After elapse of much time, the interview was granted and a delegation of Kashmir displaced Hindus met him on June 16, 1993. This was the first and the last meeting of the delegation[50] with this "Despotic Ruler" send by the " gang of the Despots" in New Delhi to rule the innocent and affilicted people , with the support of a team of insensitive Advisors functioning arbitrarily. Before the delegation could put forth the grievances and

50 The delegation included Maj. Gen. B.N. Dhar (Retd.) M.L. Aima, H.N. Jattu, T.N. Dullu, M.L. Thussu, P.N. Handu, Durga Nath and the author. Justice J.N. Bhat(Retd.) did not join the delegation as a protest for granting the interview after the long and undue delay.

problems of the displaced Community, he made a speech to his audience. He spoke some candid and some unwarranted things to the members of the delegation. This public shy Governor made the following points in his unsolicited speech.

1. He has come here to crush militancy and has achieved much success. He is, therefore, easily moving in the Valley and freely meeting the people.

2. Within six months time, he shall crush militancy and hold elections to the State Assembly, so that we (displaced persons) can go back to the Valley.

3. He cannot displease the Muslims (thought the delegation had said nothing about Muslims nor had yet opened their mouth).

4. We should not expect him to meet us, nor he has time to grant us time for this purose.

5. In regard to any complaint/grievance, we should communicate that to him in writing.

6. We should restrain to approach the press (we had not said yet anything). And even if we do approach, no body would touch him and we cannot do him anything.

Obviously an abuse of Central Government also was couched in his despotic utterances. The delegation carried the impression that he was sitting in his ivory tower and indulging in loud thinking. He seemed to be as ignorant as he was from the ground realities and was duping the Central Government and hoodwinking the nation. It is over 3 years now that the delegation had called on him and he had not been able yet to create congenial atmosphere for Assembly elections, nor the displaced community could return to their homes and hearths. The terrorism has escalated to Doda District (of Jammu) also, getting innocent people killed. So far as the communication of complaint / grievance in writing was concerned, I and others forwarded the same to him, which were not even acknowledged, nor yielded any result. He has been playing mockery particularly with the displaced people. He

seems to be mentally unprepared to rectify any grievance. Complaint and the bureauecrats would not move even their little finger unless their palm is greezed. The people in general and the dispossessed community in particular are groaning under corruption, inefficient administration and apathetic government.

When I enquired from a Police Officer posted in the Valley of Kashmir about free movement of the Governor in Kashmir, he replied me sarcastically, "Yes", then paused, looking to me and said further, "But when we impose undeclared curfew on his route before hand."

Truth can easily become casualty in this State where the government could conterdict the Home Minister's divulged news about attempt of the terrorists to shot at his helicopter in Doda District.

> *"The same day I contacted Mr. Chavan in his office merely to know whose version was correct . His candid reply was : "I have yet to learn the art of denying my own obsevations or findings. If I say that the J&K Governor issued a wrong statement, it would amount to belittling his position and administration. I do not want this."*[51]

He appears to be temperamentally averse to grant audience or access to the public and hear their genuine grievances/complaints.He is like a bashful woman unexposed to the public and accustomed to remain under veil, feeling offended if somebody looks at her. But to enjoy power, he behaves like more than an Autocrat and worse than a Despot. To have absolute power without any responsibility and accountability, he did not allow to survive any outlet or channel of public grievance : He suspended even the Advisory Council to the Governor started by G.C. Saxena. The bureacurates would not move, unless they are propitiated.

I had suggested to Cabinet Secretary, Surinder Singh when he visited here and met various party delegations, to appoint a Public liason/ Grievances Committee of public representatives. I told him that the

51 B.L. Kak in Excelsior, March 12, 1996.

Governor should deal with terrorism only otherwise people are drifting away from the government. He got this point noted also but without any meaning. There are often visits of Union Ministers and high ups here to take stock of things and to help alleviate people's problems and distress.

In reality, they do nothing and the visits are only an eye wash, used simply for propaganda purposes. The people of the State are being grinded under the Governor's rule and the Governor himself is taking refuge under the Constitutional protection. The more he abuses the office and loads it with absolute power to the disadvantage of the public, the more and more people get annoyed and restive.



Cry for Justice

Chapter-VII

Faltering Centre - Despotic Governors
Part-II

I am now giving here a very brief resume of only some of the events and facts, indicating waver and double standards adopted by the Government. It also smacks of unfair, discriminatory and arbitrary functioning of the authorities and the powers that be.

No displaced Hindu freedom fighter from Kashmir is paid government relief on the ground that they draw freedom fighters pension. Only difference between pension and the relief is payable. But this restriction is not applicable to Muslim Migrant freedom fighters. The instructions come from the top for giving the relief to Muslim freedom fighters. One Ali Mohamed Sheikh, Migrant and freedom fighter from Tehsil Kulgam, Kashmir, to quote an instance, is paid relief besides freedom fighters' pension. He was paid the full relief by the government retrospectively from the date of his registration as Migrant, as also was allotted specially, one room tenement from the discretionary quota of the Adviser. The Government order dated 23-11-1992 issued in his favour in this behalf reads as under :

> *"Sanction is accorded in favour of Ali Mohamed Sheikh .... to the payment of full cash assistance, as admissiible to the Kashmir migrants, from the date of his registration as migrant exclusively of Freedom Fighters Pension which he is in receipt of in his capacity as a freedom fighter and also the allotment*

of one room tenement out of his discretionary quota of the Advisor (K) to His Excellency the Governor."[52]

On the analogy of the above government order, a Hindu Migrant and freedom fighter from Kashmir, Kashi Nath Dullu also approached Relief Commissioner and other authorities for grant of relief to him. But his request was categorically spurned. He was finally forced to approach the Court and the High Court directed the authorities to pay him the relief. How brazen facedly and despoticly the authorities behave and function? The government itself openly and shamefully flout the rule of law and the cardinal principles of Constitution-Eqality before law. Why this happens when a question of Hindu (sufferer) comes up? Every one does not or cannot go to the Court on denial of justice. They are made to suffer injustice and discrimination in their respective spheres of activity and claims, which happens to most of the displaced persons.This is indicative of the policies pursued by the Government of India viz-a-viz Kashmir and Kashmir Hindus. If is sad that during the Central Rule also, the Kashmir Hindus continue to be treated as second grade citizens, even worse, in their own State. What good can they expect from India ?

One Master Wali Mohamed of Keegam, Tehsil Shopian, Kashmir suffered loss of his daughter. In the month of May, 1992, his small daughter, a fourth class student, was at her home when lightening struck her and killed her on the spot. No damage was caused to the house. It also was not a case of terrorist killing, or a casualty in cross firing. Even then government sympathised with the father of the deceased girl and paid him Rs.105 lakh as ex-gratia relief. Although payment of this ex-gratia relief does not fall within any government Rule, Notification or Guideline, yet any sympathy shown and cash assistance rendered purely on humanitarian grounds, is always welcome and must be appreciated. But it is not so, the dominating consideration has been communal and political. The family being a Kashmiri Muslim, so was it apeased.

52. *The State Government Order No: Rev (MK) 138 of 1992, dated November 23, 1992, issued from Jammu.*

Were the payment of the above Ex-gratia relief made on humanitarian grounds, then the persons having died of cloud burst in Jammu region could also be sympathised similarly and relief paid to their next of kin unhesitatingly? Among other incidents a case of cloud burst victims in Jammu is, for example cited here which was covered by the local press. Two persons namely Anil Kumar, 23 and Bitta, 38 were killed in an incident of lightening at village Nagri Tehsil Kathua on Februrary 27, 1995. A woman, Pushpa Devi, 24 was injured. At the time of incident, all the three were inside a cattle shed. But none of them was paid even a single penny by the government, nor were shown any sympathy, despite the fact that they all belonged to the same State of Jammu and Kashmir.

If I take it for the sake of argument that the government is very much worried about Kashmiris and not so much for Jammuites (which is again very bad and unfair) then the Kashmir displaced people cannot be ignored. In that event, the government ought to have consoled the unfortunate home people of the three young unfortunate students who were taken by their College to excursion but were killed in a road accident in Jammu. While going to picnic students Neelam Rakaish Bhat, Vikas Kaul and Daleep Kaul of Government Migrant Camp College, Jammu, their Bus met an accident at Jhajherkothi on March 15, 1995, and these three boys were killed. The three separate Migrant families were broken and spoiled by this accident. Some Migrant Associations and other persons demanded and represented to the government to pay these three shocked families in exile, some ex-gratia relief but were not given any relief. Father of one of the victims bewailed on this state of affairs and wrote :

> *"So far as the State Government is concerned neither the Governor, not his Advisors and Chief Secretory have bothered to show even lip sympathy on the past years tragedy, not to speak of giving any financial help or ex-gratia relief. As against this, if any eighty year old person dies even a natural death in the Valley, the State government treats it as an accident and come into action immediately. The authorities reach there, console his next of kin and give them financial*

aid.

I regret and am pained on the discriminatory policy pursued by the Governor against the displaced Kashmiri Pandits. Being head of the Administration, he should deal fairly with each and every community.

I have a right to ask the Governor what mistake Kashmiri Pandits have committed for which they are penalised?................. The function of the Governor is reduced to help to a particular community in any manner and every manner."[53]

The Government appears not to treat as human beings at all, nor citizens of the State, members of the other communities. It is reported that even many of the slain terrorists were paid compensation by the governement, showing them wrongly as innocent citizens killed in encounter. But the genuine claims of the displaced members and their outstanding dues lying with the government, are not paid to them.To help Kashmir, civil administration is alive and active, but to dispense justice to the members of other communities in Jammu, including the displaced one, the civil administration appears as non functional and defunct.

In my letter of resignation from the assignment of Standing Counsel and Retainer of the State Tourism Department, I wrote inter alia :

" *I am constrained to say that the governement is treating the sphere of litigation very lightly, exploiting the lawyers and their professional services and withhold and grab their fees and other dues which reflects utter chaos and confusion and accute corruption prevailing in the ranks of administration.*

The authority of the government seems to have totally collapsed in presence of and before Kashmir militancy and

53. *Mr. Makhan Lal Bhat, father of victim Neelam Rakaish Bhat, in Janat-e-Kashmir, March 26, 1996.*

bureaucracy which works all the more harsh against the peace loving people in general and against the migrants in particular."[54]

DSP Gilani was killed by terrorists in Kahmir. His son was granted admission to tenth class at Sainik School, Nagrota, Jammu in 1993, in defiance to all Rules and Regulatios. The Defence Minister waived all restrictions and Rules for his admission like competetive entrance test, age limit etc. This is for the first time in the history of Sainik School that such a relaxation was granted. It is appreciable in genuine cases and relaxation of Rules and restrictions must be granted to all deserving cases in all spheres. A Kashmiri Migrant Hindu lady also was prompted to approach the authorities for getting admission to her son on this ground in this school. Her son's father was also killed by the terrorists in Kashmir. He was not, however, granted admission.

Armed terrorists came to attack his father at his residentce in Srinagar in 1990, but Lokaish, 10, kept his balance and presence of mind and diverted the attention of the terrorists and saved his father. He was given Children's Bravery Award, by the Rashtarpati in 1992. The first ever child in the State to have won this National Bravery Award also tried for admission at Sainik School, Nagrota but was not granted it. After great persuations, the state Government had sanctioned payment of Rs 100 as monthly scholorship to him. But the file is missing and not tracable so far in the Secretariat. The file has apparently been put in the cold storage for all these years and the approved case tactfully stands closed by the communal seperatists and pro terrorist elements in the Secretariat. What happens to the cases of displaced persons is evident by this attitude!

54. *The Samachar Post, February 5, 1992 :*
The author was requested to accept the Retainership of the State Tourism Department on speccial terms, before current terrorism and migration had started. His professional services were accordingly engaged for the State Tourism Department and its allied concerns for inside and outside the State through a special government order, unprecedented in the Bar history of Jammu and Kashmir. I resigned from this assignment later and a good amount of outstanding has remained unpaid to me so far.

Bhushan Lal of Village Villgam, Tehsil Handwara, Kashmir was working as Laborer with Army Camp Trehgam under No: 417 L/A. After displacement, he was putting up at Migrant Camp Talwara, Reasi. After some time, he went back to Trehgam to serve again in the Army. He met there one day a known person who is said to have purchased some land from the family of Bhushan Lal prior to it and a balance amount was still payable by him. Bhushan Lal requested him to make the balance payment. The latter allegedly asked the former to come to his residence next day for collection of the payment.

On 27th October, 1990, Bhushan Lal left the Army Camp to collect balance of the sale consideration, but did not retrun since that day. According to the further information collected by the family of Bhushan Lal revaled that he was hanged to death at Damhama village and his corpse was thrown at Champora Village. The Champora residents his the dead body back to Damhama. On 29th October, 1990, the residents of that village, took the victim's body to his village and threw it there at his own former Hindu Mohalla called Duggar. Majority of the Hindu houses were thereafter burnt down there.

The widow mother of Bhushan Lal sent FIR to Police Station Trehgam late in this connection with copy thereof to S.S.P. Kupware, after she came to know about her son's assessination at Reasi and collected necessary information, confirming this heart rending bereavement. She sent representations to President of India and others but no investigation was made in the matter, nor the victim's mother was given any ex-gratia relief as prescribed by the government. In fact the FIR was sent by the Army to the Police Station, Trehgam, promptly on the very same day, i.e, 27th October, 1990. But the Police do not seem to have bothered to proceed further in the matter. This has been a method to deprive the family of the victim of receiving the ex-gratia relief as many other Kashmiri displaced families have been. Denial of the relief on the ground of non-confirmation of assessination in Kashmir, by the Police is not uncommon. The aggrieved widow and the family suffered the tragedy and other things also. Alongside the victimisation by the terrorists and other cruel persons, the government also is no less callous to the suffering people in exile and no authorityy pays heed to

them. Many a time, one feels that there is not much difference in the cruelty committed by the Muslim fundamentalists, terrorists and the government, State and Central. In dealing with members of the dislodged and exiled community, both are harsh.

In Kashmir Valley, no one pays water tax and electricity charges as reported, since 1989. The traders avoid payment of income tax and sales tax also. The State and Central government have been conniving at this evasion of fees, levy or charges in Kashmir but exercise their powers strictly in Jammu for recovery of the same in full. It has also caused resentment among jammu people who feel that the governments accord them step-motherly treatment. To enhance the dcreasing revenue of the State, the brunt is thrust on jammu. The State government, therefore, proposed among other things, hike in power tariff. It will not matter in Kashmir as people there have not to pay any thing. But Jammu will suffer by this hike. The Association of Small Scale Industries Jammu, therefore, opposed it.

> *"The industry has had suffered tremendous jolt because of ongoing disturbed conditions in the State since 1989............. All these positive steps taken by the government towards the upliftment of Industry would be infructuous and counteractive which will ultimately result in complete dormancy of the sector in case government enhances the power tarriff at this crucial juncture; does not declare pending incentives; effect random auctioning of suffering units through SFC, SIDCO, and Financial Institutions; does not grant interest relief of loans since December, 1989 onwards as promised by Central Government."*[56]

In view of the indifferent approaches and attitudes, the Chamber of Commerce and Industry, Jammu lambasted government and even demanded abolition of Sales Tax in the State.

> *" State government is not getting full collection of Sales Tax*

56. Written appeal to the State Governor by Mr. R.P. Sethi, President Association of Small Scale Industries, Jammu and published in local press in September, 1995.

as there is evasion of this tax in the Valley. The government revenue has sharply declined in the Valley as there is large scale pilferage of this tax..................irrefutable evidence in this regard has been brought to the notice of the Administration but no action whatsoever has been taken to date. Even Sales Tax forms stolen from the Department were produced before the senior functionaries of the government but no concrete action has been taken on this serious lapse which could lead to tax evasion amounting to lakhs of rupees.........This........... creates sense of discrimination and resentment."[57]

A Sub-Committee for the displaced people was formed in the year 1992 by the Union Government under the Chairmanship of M.M. Jacob, Minister of State for Home. No one from the dislodged community was inducted on the Cell. The first and the last effective meeting of this Committee was held in New Delhi on October 9,1992. Besides Jacob and other representatives of the central government, Governor of Delhi P. K. Dave and other representatives of Delhi Administration attended it. Governor of Jammu and Kashmir K. V. Krishna Rao, Chief Secretary and other State Government representatives also participated in it. Various decisions were taken in the meeting which were binding on all the three governments and the same were supposed to have been implemented within a reasonable time. The decisions included :

"1. Insurance Companies would be given directions by Government of India to renew Insurance covers for properties.

2. Banks would be directed by Government of India to extend business loans to migrants for viable schemes against security of immovable properties (lands / houses) left in Kashmir. State Government of J&K will consider giving collateral guarantees in individual cases of viable schemes identified by Banks where the immovable properties have been insured and pledged to

57 *Press statement of Mr. Ram Sahai, President Chamber of Commerce and Industry Jammu, Excelsior, March 9, 1995.*

the banks.

3. Individual contractors who may have migrated would be free to apply for short closure of contracts and on account payments against works done and release of CDRs for which they may give details.

4. For migrants in Jammu Division staying outside camps (in private accomodation) the State government will consider granting suitable rent allowance for non-government employees.

5. Medical facilities available to Migrants may be improved."[58]

The Insurance Companies had stopped insuring properties left behind in Kashmir by the displaced people. Expired Insurance policies have not been, therefore, renewed, nor new policies to cover up the insurance of the properties, were issued by the Insurance Companies. Even in the case of unexpired policies, insurance for movable property in the house, was not renewed. Due to this, many of the Insurance policy holders were deprived of the insurance benefits when their movable properties in the house were looted and / or houses were damaged and gutted.

Neither Banks extended loans to the displaced persons, nor the Government chose to give collateral guarantee. In this process, many displaced traders got dejected and abandoned to pursue the matter any more.

No house rent has been paid to any non-employed displaced person so far who have arranged private accommodation on rent. Their number is quite large and there is absolutely no medical facilities available to them. In government camps, only a small faction of the displaced people are residing with scant medical attention and no medicines.

In any case, no major decision has so far been implemented by

58. *Reproduced from the Circular dated 9-11-1992, issued by the Revenue Department of Jammu and Kashmir Government.*

the government and the few executed were at a very late stage. The Displaced Traders Association was, therefore, compelled to start a peaceful "Dharna". The decisions taken at the above meeting alone do not cover the burning problems of the exiled people. It was not even the tip of iceberg. But the government was to implement their own decisions howsoever inadequate. The Government resiled from their own decisions. It is a pity that Kashmir Traders in exile were dragged to launch an agitation for honouring own decisions of the government. The displaced Traders, therefore, had to start a peaceful strike for implementation of decisions taken in the above meeting of the Sub Committee on 9-10-1993 and for their economic rehabilitation.

> *"During the campaign of hunger strike and squatting in front of the office of Relief Commissioner, Jammu undertaken by Kashmiri Pandit traders, two Pandit traders S/Shri Chuni Lal Suri and Shyam lal Raina collapsed and died on the spot due to scorching sun. Two other Kashmiri Pandit displaced traders S/Shri Tej Krishan Raina and Bal Ji Trichal fell down unconscious while they were in protest sit on. They also were immediately hospitalised and saved. Two Kashmiri Pandit ladies who had joined 2nd July "Dharna" also became unconscious.*
>
> *This is a matter of regret that inspite of all this, the State government and the Governor, are not moved at all. The Governor of the State has catagorically declined to accept the demands when a deputation of traders met him."*[59]

Dr. Padam Nath Bindroo was on fast unto death but was lifted by the police after several days of fasting, in the night of August 3, 1993. This peaceful strike against the governments failure to meet the long pending demands of the displaced traders and for their economic rehabilitation, created tension among the displaced people. On governments assurance to consider their demands favourably, the strike was called off after 56 days. The demands were apparently never considered by the high ups, nor met.

59. *Jan Shakti, July 4, 1993.*

Critising the governement policy about Kashmir and the functioning of Sub-Committee formed in the Home Ministry for dislodged people, AIKS says :

"The faulty handling of Kashmir problem since 1947 has brought the situation to the current pass in which terrorist fundamentalists writ prevails there..............

The decisions taken in this meeting are yet to be implemented. Is this indicate you of double standards and gross discrimination on religious grounds for electoral politics?"[59a]

Keeping the geographical and strategic importance of Bhadarwah (Jammu Region) in view, the Central Government had taken a decision long back to establish a military Cantonment there. Land for the purpose was also acquired. As the Muslim bureaucracy has been opposing it, the decision taken is not impliemented over a decade now. After escalation of terrorism to Doda district, the need for this Cantonment was extremely felt. The government again moved in the matter, but slackened and dropped the work on it. The result is that Doda district is badly in the grip of terrorism and many innocent and precious human lives have been killed there. The danger of terrorism has spread to some parts of districts of Udhampur and Kathua also. The residents have no safety and security there. The displacement in Doda district has already taken place and in Jammu Panchayat Ghar, Railway Road, alone are over 617 such migrant families from Doda district. They are literally on the road, hungry and in worst condition. They are without government relief and the Police is harrasing them to go back which they genuinely refuse to, for want of security. They are always vulnerable to terrorist attacks. Families and families have been killed by the terrorists in Doda district and the Government is wrongly saying that the conditions are improving there. Government has not been sincere in setting up Defence Committees and supplying arms to the Committee members for self defence. Doda district has strategic importance and it needs to be saved and protected at any cost. Once the

59a From the letter addressed to the Prime Minister by Mr. M.L. Kaul, General Secretary All India Kashmiri Samaj, Naad, New Delhi, April 1993.

wholesale Hindu displacement takes place in the district, the entire State of Jammu and Kashmir will be lost to India. The failure of the government is getting the people killed there and the condition of people is worsening. The government apparently commits excess and discrimination upon the people of Doda district.

The exiled community demanded the government several times to prepare inventory of the properties left behind by its members in Kashmir and save and protect the same. But the government never cared for it, nor ever took any steps to safeguard the Hindu property and shrimes.

> *"Inventories of properites left behind by the migrants and their shrines in the Valley be prepared and a seperate department set up for its safe custody and for due claims in case of damages, encroachment, arson and loot."*[60]

This demand was repeated in the Memorandum submitted to the Governor by a delegation of displaced persons.

> *"Inventories of properties left behind......... and a separate department set up for its custody and for meeting claim in case of damages, encroachment, arson and loot. This demand requires immediate and satisfactory action at the hands of the government ...."*[61]

But the Government never bothered about the properties left behind by the exiled community, which have been regularly looted and destroyed. In reply to a written question about the properties of displaced people left behind in Kashmir, Bhuvnesh Chaturvedi MOS said on behalf of the Prime Minister in the Lok Sabha :

> *"In order to carry out the survey, the Government of Jammu and Kashmir has devised a proforma in which migrants were asked to provide details of their immovable properties. Over*

60 *Action Plan, published on January 21, 1992 by All India Kashmiri Samaj Migrant Action Committee, Jammu.*

61. *Memorandum submitted to the Governor on January 27, 1993 by a delegation of AIKSMAC, Jammu.*

> *50,000 forms have been received by the State Relief authorities. A clear picture about area-wise details of left behind properties will emerge only after the State Government has completed the survey. In order to speed up the process, the Relief Commissioner, J&K has set up a cell to monitor the progress of verification of claims. The State Government is taking all necessary steps to protect the left behind properties."62*

It was an evasive reply on behaf of the Prime Minister. The government have completely slept over this matter excepting some verification made in one or two areas only, the results whereof also are unknown to the displaced persons of those areas. They have taken absolutely no steps to protect and safeguard the movable and immovable properties of the displaced people left behind in Kashmir. Their properties are continuously being looted, damaged and destroyed in Kashmir. The Government, State and Central have virtually written off Kashmir exiled. The authorities make paper statements only with regard to them who are not like cattle, but form an important literate community.

There were already serious complaints of tempering with the Revenue records. The lands of dislodged and displaced persons were alleged to have been mutated in favour of some locals in connivance with the revenue officials. Houses also are reported to have been built on the land of displaced people.

> *"Follow up Committee of Kashmir Rajput Migrants has expressed concern over construction of houses illegally on the land belonging to Rajputs at Reshinagari in Tehsil Shopian................ by the members of majority (Muslims) community............. The meeting criticised the Government for failing to protect there property and demanded stern action*

62 *Reply to Unstarred Question No.: 2165 asked by Mr. Sushil Chandra Verma and the above written Answer due on December 21, 1994, was given by Minister of State in the Prime Minister's Office, Mr. Bhuvnesh Chaturvedi, in the Lok Sabha..*

against the erring personnel."[62a]

In the wake of Gulf crisis in 1990, the government of India plunged whole heartedly in evacuating a large number of Indians from Kuwait. They had them Air lifted also and brought them to India. The governement gave them all the facilities including free travel, soft loans and plots of land. But the Kashmir displaced people have been treated shabbily and put on the road side. The Prime Minister found never time to visit the afflicted community in exile But he found time to visit one Parliamentary Constituency of Jammu during elections in May, 1996.

Alongwith their physical liquidation and elimination from Kashmir, followed by vigourous attempts to depriving them of their movable and immovable properties in Kashmir, the displaced people had yet something left there. It is the vital traces of their history and culture. These also are being effaced either in collusion or co-operation with the Governement.

"All Archaeological evidences are being destroyed at Burzahama, a neolithicArcheological site in Kashmir Valley, alleged by the State Government and the public together.

.................the side.............. is faceing a grave encroachment threat after the State Governement ordered construction of hospital building on the site of excavation this year. The authorities........ started work for the construction of the hospital building on this historical site.

Moreover the people of the area have also encroached a portion of the land meant for excavations during the last six years of militancy, which would result in destruction of all Archeological evidence fro the site."[62b]

The material found from the excavation of the site many years

62a The meeting was held under presidentship of Mr. Prem Singh. Excelsior, July 28, 1993.

62b Mr. Avtar Bhat in Excelsior, December 25, 1995.

before onset of terrorisom in Kashmir, according to Archaeological experts, dated back 5000 B.C. to 1200 B.C.

□

Foreigners kidnapped / hostages



Dirk Hasert (Germany), Paul Wells (U.K.), Donald Hutchings (U.S.), Keith Mangan (U.K.), Hans Christian Ostro (Norway- beheaded)

Chapter-VIII

Relief And Government Bungling

The Government could not arrange shelter for them all. The bulk of them are in rented accommodation. Only about 4,000[63] families could be lodged in camps whereas two lakh people were registered with the Relief Commissioner Jammu. 19 Camps were set up in Jammu. The condition in the camps is horrible : Lack of sanitary and bathing arrangements, inadequate supply of water and electricity, deficient medical care and medicines and total absence of privacy, mark their living in camps. From any angle, they live under sub human conditions. It is a living conditioned on compromise with pain and agony.

> *"It had been raining continously for the past five days and the tents gave in to the down pour in this camp on Jammu Akhnoor road. The migrants who have taken shelter in these tents have not been able to decide whether the wretehed living conditions here are better or worse than the horrific situation back home in the Kashmir valley!".*[64]

The displaced persons in camps, have to face this travail for no fault of theirs. Every Kashmiri owned and possessed his own living accommodation in Kashmir, small or big, prehaps a queer instance in the country. A complete change in their style of living has been forced,

63. These figures are based on the interview that a delegation had with the then Relief Commissioner, Jammu, Mr. B.R. Kundal on June 13, 1990. The delegation was taken by Mr..Poshker Nath Kaul Vakil and included the author also.

perhaps yet to be reconciled with mentally. Most of these people had their dwelling houses whith big kitchen gardens, which were called in Kashmiri " War", paddy land and orchards. But now they have nothing: From comparative affluency, they have been reduced to abject penury. And here the displaced persons had either to learn to live in torn tents or to accommodate themselves in rented premises, some times even in dunggans, cattle sheds and stables due to paucity of accommodation and incapacity to pay high rent. Such a high rate of rent was not chargeable in a tourist place like Srinnagar also. The displaced people were paying house rent only to Jammu at Rs 3 crores monthly. The amount has now slashed down by about Rs one crore, so Rs. 2 crores are still paid by them as monthly rent to Jammu land lords. The construction of their own hutments by a number of displaced persons and leaving of Jammu by many families, has leased a little the accommodation problem.

After paying substantial house rent, many non-campers are on starvation. Non campers have their additional problems which no body bothers for.

> *"A visit to one of the camps at the end of May 1993, where migrants are lodged in Jammu was so shattering an experience that it is difficult to believe that any Government, even an incompetent one, could be a party to such an arrangement. When temperature soars above 40 degrees, it is cruel to expect that any one can live under the tents and that too year after year....... genuine and meaningful efforts should be made to help the migrants who are living in unlivable condition".*[65]

In the tented accommodation, the vagaries of weather play a havoc with them. In winter, the biting cold penetrates them through the worn out tents. In the hot summer, the heat waves overtake them and in rainy season they are marooned and feel pounded by the heavy down pour.

64. *The Hindustan Times, March 30,1993*

In Rajya Sabha, Dr. Subramanium Swamy raised his voice against the plight of Kashmir displaced people and damanded:

> *"the Centre take urgent steps to mitigate the sufferings of the migrant Kashmiri Pandits who had fled the Valley to Jammu because of terrorist activities"*[66]

The government relief granted to the dependable persons and families has been much exploited and with it, the displaced Kashmiri also is exploited, nay at times black mailed . The institution of Relief Commission had turned out to be an institution of oppression, exploitation and corruption.[67] It also proved to be boon for the local goans of the areas where the relief is disbursed. Appoitment of the Relief Commissioner and setting up of the Relief Organisation was a welfare measure for the displaced persons, granting relief in cash and kind and rending other help to the suffering mass of displaced people. The officers appointed in the relief organisation in collusion with the local "Dadas" of the respective areas, converted it primarily into a beneficial institution for themselves. It, therefore, became a den of corruption, malpractices and intrigues. The tragedy of Kashmir Hindus was converted by them into a delighting source of enjoyment and extra earnings of huge amounts. It resulted in quite a good number of fake Ration Cards; enabling possessers thereof to get relief. The hand of the many officials of the Relief Organisation was in preparation of these fake cards to appropriate and derive solid and substantial extra monthly income. The share of this underhand income used to go from lower level to higher level regularly. A person gave me a rough estimate that about one fourth of the relief meant for the displaced persons, goes like this depleting the public exchequor in the name of the Migrants. Many displaced persons also became instrumental in it and earned easy money.

Some local "Dadas" snatched cash relief initially from some of the displaced persons for not paying them their levy. Consequently,

65. *S. Amrik Singh, Hindustan Times, July 14, 1993.*
66. *The Hindustan times 24.2.1993*
67. *Since the time Mr. Saif-ud-Din lone has taken over as Relief Commissioner, the things are not so worse, as per some relief seekers.*

they were also provided Relief cards to spare the Migrants from their threat. Every such"Dada" has many such Ration Cards to have substantial monthly income with their blessings. Many of the concerned officers have enhanced their own income and have amassed wealth out of proportion. Some of the displaced persons also availed of this opportunity and got benefitted by paying a fixed percentage of share in the relief, to the concerned officers of the Relief Organisation. Displaced Kashmiri Pandit community was singled out and sought to be maligned, though only a fraction of the community draws relief . On a matter of principle, I donot support such displaced persons. Bad is bad and cannot be appreciated but the conditions and circumstances have to be taken notice. The government has no doubt, laid the prestige of the Kashmir displaced community very low, which also needs to be resented .

Under various definitions ascribed to the word"Refugee" by authors of repute, the displaced and dispossessed community of Kashmir fall within the catagory of "Refugee". The displaced members are, as such, entitled to various aids, rights and protections including the safety of life : right to live and right to livelihood. However, the Government has not categorised them as refugees or displaced but as'Migrants", purporting a voluntary act of leaving the Valley. It is what precisely the Kashmir terrorists and the seperatists as also the Kashmir Muslim leaders call it to be. They say, though wrongly, that Hindus have not been driven out from Kashmir but they left the Valley of their own and at the instance of then Governor. It is a strange nexus between the State administration and the hostile Muslim leadership. The utterances and actions, though seperate, point to the same objective of suppressing the reality of Hindus having been driven out from Kashmir.

In case the Government was not prepared to call the exiled community as "Refugee", it could be at least termed as "Displaced", and conferred the same concessions as Refugees. The word Refugee has acquired a legal recognization and its international acceptance through the world Body, UNO enjoins certain concessions and facilities for the Refugees, which are in other words, the rights of the Refugees they are entitled to. As displaced members of the exiled community, they deserve these concesions and facilities as a matter of right .

While addressing the Annual Session of All India Kashmir Samaj at Faridabad in 1994, the then Central Minister, Mrs. Sheila Kaul objected to the use of word "Migrant" viz-a-viz the displaced persons from the Valley of Kashmir. She suggested to term them as displaced or dispossessed. Keeping in view the latest connotations of U.N. on the term "Refugee", some community intellectuals in Jammu, treat the displaced persons from the Valley as "internally displaced". Kashmiri displaced community wants to know legal status of its members whether they are merely Migrants or Refugees/Displaced persons, entitled to certain benefits and rights under International law. The first struggle that the exiled community has to launoh against the government both, State and Central is for determining the legal character of their displacement and then for getting accepted and recognized the same. In this struggle, they have to seek incidentally demolition of the nexus between the Government and the hostile Kashmir Muslim leadership. Unless this is done, the Kashmiri Relief Card holder is apt to be exploited and maligned. The faltered members of this community have been under the present circumstances, treated more shabbily and with despise than the local hoodlums and the dishonest and corrupt officers who hold a number of fake Migrant Ration Cards, on the strength of which they draw and misappropriate huge monthly sums of money. The affected people have been harassed and victimised but the unaffected persons have relished their miseries and historical misfortunes.

To throttle up the Kashmir is in exile, the Government appointed Dy. Commissioner vigilance in the Relief Organisation whose record of efficiency has been none too bright. On these reasons, when his services were deemed to be of no use in Jammu, he was transferred to Srinagar office. But he clamoured that he could not go to Srinagar due to ongoing militancy. He was retained in Jammu and adjusted in the Relief Organsation by creating a special Post of D.C. Vigilance. He harassed and tortured the members of the displaced community, cancelled and suspended their Ration Cards arbitrarily with automatic cancellation of their relief, in some cases deservedly and in others only wrongly. It was obviously, done to please the government so that he

could be retained in Jammu. In the case of many helpless displaced persons, the Ration Card and relief remained suspended illegally for years together in these abnormal conditions. In some other cases, Ration Cards have not been restored and the relief stands cancelled for years uptil now. Only prolonged verifications after verifications were done so as to defer the matters unnecessarily and the helpless victims give in ultimately and prepared to arrange for underhand gratification or with the passage of time succumbsed to give up following the case, itself which the Relief organisation regarded its false victory. And when only some of these genuine cases were so far revived and restored after hard labour, no back relief was paid to them. Most of the cases were consigned to the cold storage and they are yet to be recovered and restored despite the lapse of about six years. I personally know about some of the hard hit cases. I had recommended a case of a Hindu from Jammu region who was employed in Srinagar to my personal knowledge and was displaced and suffering here badly. But as a matter of policy, the disposal of the case was delayed by the Dy. Commissoner Vigilance unfairly without any justification. The case is now untracable after six years.

Officers did not show any interest at all in such cases, because the victims were suffering from abject and could not grease the palm of the concerned. Complaint against the Dy. Commissioner notwithstanding, he was retained in he Relief Organisation for a long period, on obvious reasons He was also decorated with a Medal by the State Government to the annoyance of the displaced community from the Valley, for arbitrarily throtting up its members.

The Kashmir displaced people have been treated as serfs of the over lords in New Delhi and of the Raj Bhawan at Jammu and Srinagar. If the drastic measures were taken to save money and to spend it on terrorists and terrorism in Kashmir, the formulla should have been of universal application. The Muslim Migrants of the Valley should also have been brought within the pale of these measures on a matter of principle and discarding discrimination on the basis of religion. The then local Chief Secretary Shaikh Ghulam Rasool did not allow the proposal of increase in the paultry amount of relief to go through for long. His contention of bringing the seasonal Kashmir Muslim

Migratory labourers, who from ages go out side the Valley for winter months to make earnings and come back in spring, on the list of Migrants entitled to relief, created a strange obstacle. His contention stalled the payment of enhanced cash relief during his tenure and his objection got waived with his exit from the office. The question discrimination on the one hand and unjustified favouritism for others, is why this glaring on the other ? Why this one way traffic ?

Why then the Kashmir Hindus and Sikhs who were forced by the circumstances and government attitude to leave the Valley earlier in search of livelihood etc., were not provid such benefits ? The government has guts to push down the position of displaced people so low that it equated them with the migratory labour. It shows the insensitivity of the Government towards the woes and wail of the displaced Community. Are the Governors toys in the hands of bureaucracy and have come here simply to enjoy ?

Why the displaced Hindu Community alone was singled out and discriminated against by the government ? The Gorkha Chowkidars and watchmen appointed in the government and semi government offices, departments and concerns in Valley, were also compelled to flee to Jammu. They too were deprived of the relief on the ground of being non-state subjects. The question arises as to why the Muslim Migrants were shown a preferential, dignified and superior treatment and the employed and other non - Muslimsgorkhas were shown a cold shoulder ? I welcome all the genuine things even helping measures for the Muslims but not communal discrimination singling out Hindus. To have the nations of dignity of labour in mind, is a very good thing and I praise it. But it should not solely be on communal considerations to single out the non-Muslims. Why the Deputy Commissioner Vigilance in the Relief Organisation, was not given jurisdiction over the Muslim Migrants ? Why not a single Muslim Migrant was touched ? For, that was against the policy of ISI and the seperatists, and Muslim leadership. And our rulers and authorities have been toeing the same line. All these things need a thorough probe and award of punishment to the guilty persons. My plain speaking and exposition of concealed facts, should be regarded as malice towards none nor is that my interntion at all. I

am more a friend of Muslims than many may claim to be. But I am exposing how the government itself tries to create schism between Hindus and Muslims. I am happy that the Muslim Migrants have not been harassed and have been conferred benefits and facilities without any accountability of the officers. But certainly I am not prepared to connive at or ignore and bypass the disabilities created, discrimination meted out and the injustice perpetrated upon the displaced community of Kashmir as a whole. I am an outspoken man, believing in honesty. I am always prepared to fight for any aggrieved Community or class, irrespective of caste, creed, religion and language. I should not have otherwise any interest in the matter of relief as I have never been paid it, nor I have ever asked for it.

It is for me a question of conscience and not of expediency, it is a question of principle and not of a person. As such, I am not trying to allude only to the illegality and the unconstitutionality in the professions and practices of the Government towards the displaced community, but also to the irrationality involved in the delicacy of the matter. There have also been large scale displacement of Hindus/ Silkhs in the Pak occupied areas due to Pakistan's attack on the State in 1947.

There was already dislocation of people caused in certain areas of Jammu region due to the war waged by Pakistan against India in Jammu and Kashmir in 1965. It took the government about 5/6 years to rehabilitate these displaced people, though not properly. The refugees of 1947 from Muzaffarabad, Bagh, Rawlakot, Palandhari, Kotli, Bhimber, Mirpur and from many other places are in Jammu. Refugees of 1965 from the border areas were also in Jammu, though later many went back to their respective native places. The Refugees of 1971 from Dev Baṭala Chhamb and other soctors are in Jammu. These refugees from Dev Batala, and Chhambh are permanently displaced persons like that of 1947 refugees.

After 1971 India Pakistan war, both the neighbouring countries tried to straighten the border line of the State under their respective control and possession in certain areas like Chhamb. As a consequence thereof, in certain adjustment, the Dev Batala area of Chhamb sector

was surrendered by Government of India to Pakistan which all was fertile land and considered grainery of Jammu. The residents of these areas thus uprooted, were unexpectedly converted into refugees, who included mostly Chib-Rajputs considered as one of the best fighters and soldiers. And now the displaced. Hindus from Kashmir have been in Jammu for the last over seven years. Jammu has become in a way the abode of refugees which is not a good sign for the over all upliftment of the original Dogras of Jammu, nor for the State.

The State Government must have obviously, some tested criteria and norms formantaled already as also developed some skill and good expertise to deal with problems of the displaced people, award of adquate relief to them and their rehabilitation. In the displacement, for instance, caused in the wake of India Pakistan war of 1971, simple and logical method of disbursement of relief in consultation with the refugees themselves was evolved by the Government. The rules of procedure were also framed by the government for purposes of relief and rehabilitation. The schedule of cash relief drawn was simple and unambigious, unlike the present arbitrary method and manner. Each and every member of the displaced family, regardless of age and sex, was paid the cash relief on uniform pattern. There was no consideration whether the receipient was government salaried person or no, agriculturist or non-agriculturist, trader or labourer. No verifications were made by the government whether the receipient of the relief was really a displaced person or not. His or her statement or oral evidence was taken as sufficient proof for being displaced and entitled to the relief. The adult was paid relief at the rate of Rs. 60/- per month and the chldren at the rate of Rs. 30/- per month. Those of the Refugees having cow, goat or any other cattle head with them were paid @ Rs. 2/- per day per cattle for maintainance of his / her live stock. At times, free fertilisers, seeds etc., were supplied to the needy refugees. Additional cash was also paid to the refugees for purchase of such like things in order to make earning and settle down. They were also provided with tents, kambals clothing etc.. The attitude and approach of the Relief Agency was sympathetic. It did not involve government bossism and authortarianism, which is the distinctive feature of present Relief

Organisation.

In the case of displaced Kashmiris, unless their displacement is supported by documentary evidence, they are not accepted as "Migrants" by the government. To prove themselves as a "Migrant" they have to furnish certain documents to the Relief Organisation, which really amounts to injustice, harassment and highandedness viz-a-viz the Kashmir displaced persons. And in absence of these documents, the displaced Hindu/Sikhs from Kashmir are not admitted as "Migrants" and they are straight way refused this status and denied the payment of relief. The documents and particulars required as per the order dated 1/14-9-1992 are : Ration Card of Valley or Voter List, Pass Books, Electric receipts, Gass connection proof of having been residents in the Valley, School, College Certificate of the son/daughter from Kashmir and also from Jammu. Transport ticket of coming from Kashmir to Jammu, three copies of Passport size photographs of the head of family, Temporary Ration Card issued in Jammu. How could the persons fleeing Kashmir in harassed and conditions surcharged atmosphere bring these documents to Jammu. Some may be possessing these documents but not all concerned which amounts to harassment and denial of relief.

Besides these displaced persons have to quote the house number where they are staying on rental basis or otherwise and to get the certificate from the landlord to this effect, which in many cases, the landlords are hesitant to issue. Also with the change of residence the Ration Card is suspended and bonafides are to be established again. Many of the displaced persons are regularly asked by the landlords to vacate their rental premises, which enhances anxieties of the displaced tenant and adds to his problems. It causes, suspension of his Migrant Ration Card as also the Govt. relief. And then, by policy, the process of unending verification after verification starts till the case is consigned to cold storage or is got renewed by spending money. It has increased the Red Tapism and has become a big fraudulent money transaction and disbursement organisation.

The United Nations Organisation also looks after and watches to the problem of refugees in the world. It wants to befriend the afflicted

humanity thy name is refugee. Currently, it is engaged to look after the refugees in some countries. In India, it operates through its High Commissioner for refugees in India with office at New-Delhi. It takes presently the care of Refugees who are mainly from Afghanistan. They give them the cash relief according to their Indian schedule.

> *"....they (refugees) are eligible for aid, which amounts to Rs. 830 a month per head of the family. If there are three children, each one gets Rs. 450..... The next three children get Rs. 210 each......*
>
> *The UN office looks after the health of the Refugees...The cost of the medicine is reimbursed by the office.*
>
> *The refugee children are sent to government schools and their books and stationery are paid for."*[68]

It is what an Organisation of the World Community is, in the minimum, doing for the refugees. The schedule of payments and other facilities are said to have been now improved and increased. The UN. organisation is neither a State nor the Government itself, nor the displaced people are its own citizens. Yet, they are striving hard to serve the cause of humanity. As against this, the State Government and also the Central Government, have singled out the Kashmir displaced persons for shabby treatment.

The displaced boys and girls are not given admission into the regular classes of Government Schools and Colleges. They have been singled out and for them the Government Camp Schools and Colleges are functioning in Jammu. The displaced students are not given books and stationery nor costs thereof are provided to them. They are also not provided free medicines either nor reimburse their medical expenses. The schedule of relief disbursed to Kashmir displaced people is irrational and illogical. It is ambiguous and creates problems, which give painful moments to the relief seekers, The grant of relief according to per head is more reasonable, of course, with certain modification and restriction

68. *The Nation and the World, September 16, 1992.*

regarding the persons drawing government salary and pension.

The award of relief and idle salary has blunted their talent and capacity the displaced persons to work. They have been turned closer to opium eaters. The relief has acted as "Brown Sugar" for Kashmir displaced persons and has created inertia to them. Their much time is consumed in solving the intricacie's and difficulties created and in the other problems of service, ratirement and settlement and release of Pension, Provident Fund, Gratuity and other dues.

There is, however, a brewing revolt against their faultless annihilation which may ultimately prove to be a disaster for the country. This is apt to heppen in case the rot is not stemed right now and the hackneyed policies changed immediately.

I am not in favour of grant of Relief to the displaced community though paid only to a faction thereof. It is a "Brown Sugar" administered to the Community in exile. It has affected their nerve and nature. The members of this crime free and literate community has, from the elevated level of civilised and cultured attainment, been relegated to the morass of depression and helplessness. The progeny of Nehrus, Sapru's, Kathjus, Kunzrus, Kauls, Dhars, Tikkus, Haksars, Mottos, Munshis and many others have been reduced by the government to this position. The claimants of heritage of Kalhan's, Jonarajs, Lal Deds Parmanands, Krishna Razdens, Abehnav Gupts, Swami Lakashman Joos, Swami Nand Lals, Kasha Kaks, Shree Bhats and Hargopal Kauls and others, have been driven to this sad state of existing and living. As also the offsprings of the forefathers of Dr. Mohamed Iqbals, have been reduced to this position and level. It has changed and adversely affected their psyche. Though only a faction of their draws relief and is involved in the Relief affairs, getting it or renewing or restoring the claim which absorbs the major part of the month. The word relief must be discarded and the payment of the relief abandoned. As against this, every displaced person must be paid adequated "Dislocation Allowance" on rational basis whether the person is in government service or not, whether he is salaried or not and whether he is agriculturist, orcharist or trader.

The displacement, none of their seeking but is due to the failure the government to save and protect them in their own land of birth and origin. As such, the government is liable to meet the consequential difference, damage and variation caused in their living and to compensate it adequately, covering all other ranges and spheres of development and activities. It all should be covered under one umbrella of "Dislocation Allowance":

In case the government fails to discharge this liability towards the displaced community of Kashmir, it has no right to rule them and their land of origin. The least that the government would do in that event, is to hands off their land and declare its failure to meet the demands of the situation and that of the displaced community. It is not only a matter of giving relief to the people claiming them as their own citizens and commanding their loyalty but also a corresponding duty is creat and cast upon the government to abide by the right accrued to them as such faithful citizens.

Before parting with this chapter, I want to record here that Jammu has an acute problem of refugees. The refugees from 1947, 1965, 1971 and others upto date, have unjustly been dealt with by the State and Central government. Their problems are of specific nature, varied and are multiplying. Their claims are ignored and the government, Central and State, abdicate their functions in honouring the commitments made to these refugees in Jammu. The Jammu Refugees are a seperate and important topic in itself and I donot want here any diagression, nor injustice to them for paucity of space here :

> *"Is it not discriminatory to treat the minority of J&K differently from the majority population in J&K ? What answer is available with J&K Govt./Govt. of India to solve their human problems of starvation....."*[69]

The problems of Jammu refugees are of different type. They

69. *These lines are from the Memorandum, submitted to the Chairman Human Rights Commission, New Delhi by Ex. Captain Yudhvir Singh, President Non-Camp Refugees Society of Chhamb Sector. He had given me a copy of it.*

constitute the different sets of refugees whose demands are varying inter se. I support the genuine demands of all of them and want the government to meet their such demands immediately.

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Naginder Kumar Bakshi of Jammu stabbed to death by the terrorists in August, 1995 while saving a group of Amarnath Yatris at Pahalgam.

Chapter-IX

Intellectual Genocide

The education of children is another worying factor for the grim life of internally displaced people. Genocide of Hindus in Kashmir is a known fact now. But what is not known is the intellectual genocide of exiled students. The Kashmir terrorists and their supporters and sympathise snatched or attempted to snatch, everything from the Hindus, their life, their religion, their culture, their temples and shrines, their houses and their belongings, their lands and archards. Above all they snatched their home. They even endeavoured to prevent their students to receive Medical and technical training and higher education and learnings. But what they could not rob them of is their intellect and ingrained keenness for pursuit of education and learning.

The displaced community would prefer to remain underfed but gave priority to education of their children. In their language, the Kashmiri Pandits term the education as "Ash Gaash", i.e. vision the eye. Without education, they feel, the person is virtually blind. They have been following this guiding principle of their lives, from the time immemorial and they adhered to it even under the worst and trying circumstances.

The government did not allow admission to their boys and girls into the Government Schools and Colleges in Jammu to prosecute their studies further and properly. In view of the government policy the then Education Commissioner Ms. Sushma Choudhry disallowed admission to the displaced students in the government Schools and Colleges of Jammu. There was resentment in the displaced community against this

aparthied. When the government thereafter reconsidered matter in July 1991 for abolition of Camp Schools and colleges, jammu students and others raised hue and cry and took out protest procession against this. They termed it anti-Jammu move. As such the orders os separate camp schools and colleges for displaced students continued :

> *"Since the mass exodus of Kashmiri Pandits from the flowery valley, helpless Pandit migrant students are being discriminated at every step both by the Central Government and J&K Government . reducation carrer of thousands of Kashmiri Pandit students has been marred as a result of callous attitude of the State Government and communil policy being pursued by Kashmir University which is a haven for die-hard fundamentalists and militants who are both indoctrirated and financially helped by Pakistan.*
>
> *Barring a few officails, almost all the officials of Kashmir University are actively helping the militant students and truing to ruin the educational career of Kashmiri Pandit migrant students".*[70]

Making reference to erstwhile Education Commissioner and the part she played in the matter, the newspaper further said:

> *"She is said to have caused great impediments in sanctionning grants to Kashmiri Pandit institution which were operating in Jammu city after the migration of the Pandits from the valley".*[71]

The newspaper writing in the same long editorial that "the story of Kashmiri Pandit migrant students is too deep for tears," it futher says that the aforesaid Education Commissioner has issued orders that:

> *"........ no Kashmiri Pandit migrant student be allowed to read in these (jammu) institutions. It smacks of parochialism and communalism to which Kashmiri Pandit community has been*

70. *The Samachar Post, Delhi. September 7, 1994.*
71. *The Samachar Post, Delhi. September 7, 1994.*

> *subjected since 1947 when Sheikh Abdullah took over as the head of State administration............*
>
> *.......... Kashmiri Pandit students are subjected to various modes of injustice and dishonour at the hands of vested intersts who have all along worked against the Pandit Community."*[72]

They live as displaced person in jammu for the last seven years now are not permitted to get affiliated to the jammu, the collegiais continue to remain the affliated students of Kashmir University.

The Board of Higher Secondary Education is, however, one and the same for the whole state of Jammu and Kashmir. The Government started Camp Higher Secondary Schools and Colleges for the displaced students which continue to impart education to them. Their classes are taken in the premises of educational institutions of Jammu in the evening, after the regular class hours of the jammu students are over. Some of the rooms in the college buildings are used by the displaced students, where the displaced staff teaches them. But for most of the Higher Secondary Students, there is no accommodation and they have to receive education in the open ground. They face the vagaries and inclemencies of weather scorching heat of summer, biting cold of winter and the rigour of heavy down pour of the rainy season. One of the worst example of this is Satwari Camp government. Higher Secondary School, jammu. Barring one small tent for the Principle, the staff and the students sit on the naked ground. The School buliding no rooms for students, nor even one for the staff student in jammu. They all are without roof and shelter and have let a tent only. It houses the Principal's office also. The displaced are not use of the buildings of Higher Secondary Institutions.

They have no access to the School library, laboratory, lavatory and the water taps. A new type of discriminaton and apartheid is perpertrated upon and practised the displaced student community. They are not in a position to make water or attend to nature's call whenever

72. *The Samachar Post, Delhi. September 7, 1994*

need arises, in such so called Schools nor can they quench their thirst for want of a water tap tanky empty in the hot climate. All that they have access to, is the open ground where the classes are held in desperate environs. Under these humiliating circumstances, the displaced students receive education and the displaced staff impart them education. Can our children still best of being Indian citizens with constitutional guarntee of equality, forbidding discrimination and apartheid? Can they also state subject rights of jammu and Kashmir State with in the state, which their ancestors and elders had striggled for ? Are all there rights meant for all peole excepting Kashmir Hindus ? It explodes the myth that the Kashmir Hindus have not been dealt with in The State unfairly! Their unending miseries seem to have no end.

The result is that either the displaced students drop out or go to some private institutions against payment of high fees. It accounts for the dwindling number of the students in these Migrant Government Institutions and indicates the increasing drop outs which is also a matter of concern for the community. The funds allotted for their labraries, equipments etc. and for construction of a few School buildings for them were either allowed to lapse by the State which is under Presidents rule. These funds were probably diverted to meet other expenses unconnected with the displaced community.

The displaced girl students coming from far away places, mostly as they do, feel insecured and inconvenient to attend the College in the late hours.

For purposes of Higher Secondary Educaton Board examination also, the displaced students are set apart and seperate examination Halls are fixed for them. There was a complaint that their answer papers were seperately examined and striotly marked under a secret and definite policy and plan. The complaint of discrimnation still persists and the displaced examinees alone were not allowed use of Calculators while as the rest of the students were given the free use of calculators.

The displaced students had, therefore demanded full facilities and autonomy to the Camp Schools and colleges, which has not been granted.

The fate of the displaced students remained hanging in balance. As already mentioned, the college students of the displaced community were affiliated to the Kashmir University. After displacement, they shifted to Jammu and thus came within the territorial jurisdiction of Jammu University. But they were not permitted to migrate to the Jammu University. A hypothetical stand has been taken by the authorities : For all purposes, the memebers of the displaced community have been treated as Migrants but for University purposes or University Migration, their students are neither treated as Migrants, nor allowed to Migrate from Kashmir University to Jammu University. Holding of their examinations and declaring their results and all the other and allied things are within the control of Kashmir University. In view of the demand of displaced students, of the Kashmir University has set up the office of Assistant Registrar at Jammu for displaced students. It does not, however, meet their requirement. The displaced students in Jammu are, therefore, for all purposes, subservient to the decisions taken and the policies adopted by the Kashmir University as also to the working and functioning of this University in Srinagar.

The terorists have influenced University of Kashmir also and many a time it opetated under their instructions, whim and caprice. The University has been given Islamic touch and it is now being given an Islamic face. It works with prejudice, Friday for instance is, made off day during the period of examinations and Sundays as working days. The gazzetted Hindu holidays during the course of examinations are not observed as holidays but examination days. Such type of Kashmir University Date Sheets prepared in Srinagar, for examination displaced Hindu students in Jammu, irks them as it irks any other non-Muslim. The calandar of holidays has been changed after exodus of Hindus.

The displaced students are not willing to adopt or surrender to this Islamic pattern of working and observing of holidays arbitrarly and against previous established practice. They do not reconcile to this non secular change in the calander of holidays etc. of the Kashmir University. This pro-Islamic and anti secular tradition developed in the University, has allowed construction of a mosque in the University Compus else at itself Naseem Bagh Srinagar during this period of Hindu

absence from Kashmir. It has been converted into a Muslim fundamentalist University with the funds flowing from government of India. Being non-Muslims, the displaced students are accorded discriminatory and prejudicial treatment. Does the government want the displaced people alongwith their students to return Kashmir and prosecute their education in Islamic way only to become neo-Muslims in future against their will ?

It is a long tale of unending sufferance of the displaced students, causing tremendous mental torture and anguish not to them alone but to their parents and guardians as well. They are struggling hard to get the education. For the prupose of examination, their dates and timings are fixed according to the dates and timings that suit the University authorities and students in Kashmir unmindful of Jammu timings etc. These examinations may be conducted in time or not, but their fate is tagged with the ups and downs of Kashmir for no fault of theirs. The Muslim fundamentalist approach and influence haunt them even in Jammu during President's Rule also. Many a time, the examinations have been delayed for quite some time and then held at a very short notice to the Jammu affiliates. What is more sordid about it, is that the results of the displaced students are not declared in time. They have to lose sessions in higher classes even though they are getting through in the qualifying examinations. Obviously, therefore, it takes them a longer period to get into the next higher class, than within the prescribed but for passing of an examination course, for no lapse on their part. It is additional agony for them.

To pass graduation after P.U.C., for instance, the displaced students have to consume at least, five years in average even if they get through always.

A serious complaint as reported is that the Kashmir University prepare two different sets of question papers for examinees. One set for the students appearing in the Kashmir Valley and other set of question papers for the same class of displaced students appearing in these examinations in Jammu as forced students of Kashmir University. This is allegedly done to give these Jammu students tougher question

papers and to get their answer papers marked seperately and strictly in order to demoralise the displaced students. The government has never raised its little finger against this shameful and biased type of functioning of the Kashmir University which has serious repercussions. These and the like matters merit serious consideration before it is too late and havoc is wrought up.

The displaced students are receiving a tremendous set back in their educational career. The sub office of Kashmir University at Jammu with Assistant Registrar, heading this office, is of no avail to them. This offce is handicapped in many ways and suffers from the limitations of powers. It is not, therefore, responding to and remedying the grievances of the students of the displaced community. They, therefore, continue to suffer at the harsh hands of the Kashmir University. A brief report, alluding to the arbitrary and high handed functioning of the Kashmir University towards the suppressed and displaced students, has appeared in an influential local, non-migrant, non Kashmiri newspaper which alongwith its other comments, should awaken the conscience of the world community about the intellectual genocide committed of displaced student community. This Paper inter-alia said :

> *"Uncertainty looms large over the fate of hundreds of third year migrant students who have been denied to sit in the examination for various subjects by the Kashmir Univerisity authorities.*
>
> *While the Kashmir University made it possible to conduct the examination for the Muslim candidates in the Valley, the migrant students of third year have been totally ignored and denied t sit in the examination halls for the last two days.*
>
> *The University authorities have failed to conduct the examination in English B and Chemistry-II and other papers for the migrant students while the examination for these papers have been already held in the Valley.*
>
> *Last month authorities postponed the examination in various subjects following the call given by the militants to observe*

complete bandh in the Valley. Interestingly, the examination in Jammu were postponed even though no untoward incident had occured here.

On May 17 Kashmir University Sub-office notified that fresh dates would be announced soon for the completion of the examination. However, even after a month, no dates were notified well in time to inform the candidates.

Irionically, in today's edition of some papers, University authorities came out with a fresh notification, mentioning that examination in English-B and Chemistry-II papers "shall be conducted on June 25 and 26". The candidates came to know about the fresh dates only on June 27 !

Meanwhile, some staff members employed with the Kashmir University sub-office, Canal Road has reportedly fled to Srinagar and there was presently "no one" to contact and know about the crisis developed recently due to misguided notification...... It may be recalled that Kashmir University did not conduct the examinations on Fridays, but declared the Sunday as a working day. On most of Sundays, examinations were held and even the migrant students at Jammu were also "ordered" to appear in the examination on Sundays."[73]

The non-Muslim displaced students at Jammu have been sought to adapt to the Islamic pattern of observing Friday as holiday instead of universally acknowledged weekly off of Sunday. Displaced Kashmiri student leaders have flayed authorities of Kashmir University for this approach.

The government as also the University Grants Commission apparently never adverted to this style of functioning of the Kashmir University and to the problems created for and faced by the displaced students.

73. *The Excelsior, Jammu June 29, 1991.*

For the past three years, only one session of the displaced students was completed. The three years course for graduation has turned into six years course for the displaced students the first batch of their students of graduation in the Valley only some time back, came out in Jammu as qualified graduates of Kashmir University, encountering all odds, difficulties, delyas and hurdles created by the authorities of Kashmir University all these 5/6 years. Due to delay in results the students aspiring for joining Post-graduation classes or Ph.D., were losing the sessions. They had to do it at a higher age, fearing age bar for government service, some of them, gave up the idea of prosecuting their studies further.

> *"The delayed results and evaluation of answer scripts of migrant students have played a disaster with the future career of such students..... There is a calculated motive to deprive migrant students of their educational future and career. About 600 students among migrants were so much frustrated at the treatment meted out to them by the delibrate delaying tacties of the Kashmir University that they were forced to waste one more year and seek admission at Chandigarh and Delhi which their parents could ill afford."*[74]

In some of the cases, results remain withheld for years on flimsy grounds, frustrating the studetns. In the case of some students, objections of disputed elegibility have been reportedly raised to harass them, which are not settled for long. The displaced students launched strong protests against the behaviour of the University authorities, but no body bothered about them. On April 12, 1993, they brought out a procession, protesting against the late declaration of results and for removal of other grievances. They were lathicharged by the Police.

Another sad spectacle of the displaced students has been brought to the fore. Their answer papers are singled out by the Kashmir University for low marking, it is said. The seperate and additional code

74. *Extract from the representation made to the author about two years back as public activist, by some migrant members of the teaching staff.*

mark is, therefore, given on their answer papers as to identify the same easily.

It is also said that their Answer Books are not got evaluated delibrately by the Kashmir migrant teaching staff in Jammu, as the members of local teaching staff of Kashmir University do in Srinagar. The injustice is caused to the displaced students as their answer books are got evaluated by those who have not taught the courses according to the syllabi of Kashmir University.

> *"While the answer books of the candidates in Kashmir are evaluated by their own local teachers, in Jammu, a different criterion is adopted by the Kashmir University towards migrant candidates. The answer scripts of the migrant B.Sc./ B.A./Secondary education candidates are evaluated by the local Jammu teachers who have never taught the courses of Kashmir University syllabi. The result is that the migrant students have to suffer again......The only possibility for the redressal of grievances of migrant students is to expedite their exams. on due dates under an autonomous unit of K.U. or entrust the job the Jammu University and engage. The migrant teaching and non-teaching staff for conduct of exams., preparation of results and evaluation, as is presently done in the Kashmir University.*[75]

The displaced students "demanded a thorough probe into the communally motivated bunglings by Kashmir University in the results of B.A. Part-I. ABVP State Secretary said :-

> *".....extremely low pass percentage of 20 and abnormally high number of withheld and Disputed Eligibility Cases (296) point out a dangerous trend by which the career of displaced students was being marred....... It was unprecedented that out of a total of 900, only 293 have passed.... It seems the Kashmir University authorities were acting at the behest of*

75. *Extract from the representation made to the author about two years back as public activist, by some migrant members of the teaching staff.*

militants to finish the very future of Kashmiri Pandit Community."[76]

All State Kashmiri Pandit Conference also took a serious notice of all this and came out openly in condemnation of this communally motivated behaviour of Kashmir University towards the displaced community. The Conference issued a protest note on June 8, 1993, which, inter alias, reads :-

"....some examiners have played havoc with the career students whose percentage was considerably and deliberately degraded by some communal minded examiners of the Kashmir University."[77]

A brilliant student, distinction and national scholarship holder, Rakaish Kaul appeared in his B.Sc. final examination in 1992 (August). As a matter of policy, I am told, this migrant student was harassed in the examination Hall. He was alledgedly caught for misconduct and using unfair means. Declared failed in examination, this "innocent" candidate was cleared of the charge, but he had to suffer much despite his innocence. In one of the memoranda submitted by Kashmir Unit of ABVP in Jammu, to the authorities concerned through the Divisional Commissioner Jammu, it is "Hundreds of disputed elegebility cases and unfair means cases remain zinsolves since 3 years.........at Jammu be given an Autonomous Status with Administer active and academic powers".[78]

These students are also fighting for carry on system of examinations as were assured by the Education Authorities.

Some of the local newspapers adversely commented on conduct of Kashmir University, expressed concern over its objectionable functioning.

76. *Statement of Mr. Siddarath, State Secretary ABVP, published in the Excelsior, June 9, 1993 :*
77. *The Excelsior June, 9, 1993.*
78. *Extract from the copy of the Memorandum furnished to me by some ABVP students for help to get their grievances redressed.*

"Nothing is well with the affairs of Kashmir University. It has ceased to be an effective instrument of qualitative education. As far as migrant students are concerned, it continues to play havoc with their academic pursuits and careers. An institution of higher learning that treats the student community with bias and squint eyes needs to be disciplined to restore sanctity of education. It cannot be allowed to squander away funds on vague pursuits. The available data amply proves that the murky affairs coupled with prejudiced management has made this University a play ground for religious bigots and fundamentalist dispensation."[79]

The newspaper has strongly criticized the belated declaration of results of the displaced students and giving edge to the students taking examination from Kashmir Valley. The newspaper has also decried declaration of results earlier of the students in the Valley and pushing back the displaced students. The newspaper further said in its editorial

"It is inconceivable that the K.P. (Kashmiri Pandit) students would log so low a pass percentage of 17 while more than fifty percent have been put in the category of disputed elegibility on flimsy grounds. The whole thrust of the University appears to be to deny these hapless students the benefit of timely results so that they are left behind their counterparts in the Valley by a year. In this context it may be recalled the result of the students who appered from the Valley has been declared long back and their pass percentage is indeed good. This is quite a surprising proposition which cannot be believed."[80]

Cold shoulder accorded to the displaced students by Kashmir University is no less harassing. Whenever the aggrieved students make any enquiry from the University authorities regarding the allied matters,

79. The Excelsior June10, 1993.
80. The Excelsior June10, 1993.

their response is one of shocking silence. The newspaper further says :

> *"Another sordid aspect pertains to no-reply dispensation of Kashmir University to any query put forth by the affected students. Marks sheets, migration certificates, clearance of disputes and relevent correspondence remains unacknowledged..... The cumulative effect of such gross mismanagement is loss of precious academic years. By any rough calculation, it could take anything around fine to six years to complete graduation from Kashmir University with every examination deliberately delayed and every result tarred with biased brush...*
>
> *........If militancy has not been allowed to interfere with the affairs of the Board (J&K Board of School Education) in Valley, there is no reason why Kashmir University can not be disciplined."*[81]

For some years after displacement, no admission to postgraduate courses of Kashmir University was granted to displaced students. In 1993, however, 115 displaced students were considered for Admission to M.A. classes, started by the Kashmir University Camp at Jammu University Campus. But for long, they were not taken any examination. The choice of subject was also limited.

> *"University restricted the Admission of the migrant students to very few departments while as displaced students have been denied admission in some important departments like Mass Communication and Journalism, Bio Chemistry, MBA, Electronics, Home Science, Sociology, Statistics and Sanskrit. To the contrary, Muslim candidate have managed to get admission in all of these vital departments.*[82]

The Sub - office of Kashmir University started at jammu for displaced students, does not cater to their needs. These students demanded full autonomous unit of Kashmir University at Jammu, which

81. *The Excelsior June10, 1993.*
82. *The Excelsior, May 31, 1993.*

the University authorities have not so far established at Jammu. Kashmir University, therefore, functions in any manner they like viz-a-viz the displaced students , least caring even for their religions sentiments. Such an attitude of the Kashmir University authorities is revealed in matters like Examinations Date Sheets also.

> *"The date sheet reflects the antagonistic culture, not only for displaced students but for whole India because displaced students represent Indian ethos and Indian culture for which they have been bounded out from Kashmir in past. Sunday, the weekly holiday has been replaced by Friday. There is no holiday on Diwali and Dusseharra, that is how Kashmir University authorities have framed the date sheet for the above mentioned classes. The Government of India is to be blamed .... they have closed their eyes and colosed eyes can never see the truth".*[83]

With regard to examination papers set by Kashmir University, the displaced students come across at times, various difficulties. For purposes of translating a passage into English, just to quote an example, script is given in Urdu, which most of the displaced students in Jammu donot know:

> *"In another case of discrimination, the English paper of B.A.,BSc., B.Com. Part II (K.U) held on 15th June, 1995, a passage in Urdu was to be translated into English though the authorities of Kashmir University know the basic fact that the displaced Hindu students have read Hindi and not Urdu. Another important that is worth noting is that this Urdu passage was point Islamic in nature and that it is very difficult to translate a pure Islamic Urdu passage to Hindi........... . It is very poor on the part of the K.U. to give a religious passage and that too when the exam is taken by Hindu students".*[84]

83. *Mr. Raj Kumar Nehru, President ABVP Kashmiri Unit, Jammu, Excelsior, September 27, 1995.*
84. *Mr. Romesh Kaul, President Displaced Students Forum, in The Excelsior, June 23, 1995.*

The displaced students, have been harassed in various other ways by the authorities of Kashmir Univeristy. The examination centre at Udhampur camp college was shifted to G. M. Science College, about 70Kms. away. It was very difficult for the candidates particularly the girls, to undertake such a long distance daily to and fro for the days of examinations, nor could they easily arrange any residence in Jammu for all these days.

The displaced medical students have also a tale to tell. They were allowed to read with the regular jammu students at Medical College, Jammu. They had to sit in the examination conducted by Kashmir University. Their delayed session examinations will result in completing their M.B.B.S course in 7 or 8 years when their Jammu classmates have already completed the course ahead of them.

For the purposes of Admissions to Medical College, Engineering College and other Technical Colleges in the State or Outside The State, the merit of the displaced students is not given due weightage. Before the government, number of the Community members counts and not the merit of the displaced candidates. They again suffer on the attar of communal and sectarian politics and considerations. They, therefore, do not get their due on the basis of merit in the matter of admissions. They, as such, continue to suffer discrimination as usual in selection for these Colleges inside or outside the State.

One redeeming feature, however, is that Coalition government of Shive Sena and B.J.P. in Maharashtra, ahs shown a remarkable concern about The Kashmir displaced students. The Maharasthra Government has accomodated the Kashmir displaced students in Engineering, M.B.A. and other disciplines, even beyond expectations. The displaced commuity would like to pay Maharashtra Government for befriending the community at this crucial juncture of its history. Bal thakeray is said to have taken personal interest accomodating Kashmir displaced students in Educational institutions of Maharajā has endered him to them. The Community also likes to record its appreciation for the B.J.P. Governments of Delhi, Rajasthan and Gujarat for providing jobs to the members of this community and also helping

them many other ways.

The displaced students were fed up with the weak and ineffective policies of the Centre. But intervening of above factors, saved the situation which might have otherwise found expression in any shape and manner, none too good and pleasing. The emergence of such a situation may not even now be discarded and dismissed.

❑

Killed by the terrorists in Kashmir



G.N. Raina



Habbib Ullah



Sham Lal (Taxi Driver of Jammu)

Chapter-X

Employees-Hurdles and Problems

A sizable number of the dislodged government and semi government employees have retired from service during the period-of displacement with record of new recruitments nil from this community. Its service cadre stands squeezed. The employees still in service, are eking out life virtually as retired employees. A funny and uncommon thing in the service history has occured that without reaching the age of supernaution, the bulk of the Kashmir Hindu Government employees and officials have been reduced overnight to a virtual state of forced and premature retirement, with however, salary payable as pension for the time being. They include quite a good number of young and promising officers, trained and qualified Doctors and Engineers, Professors and teachers, administrative officers and other skilled and unskilled but competent executives. Their talent has been marred all these years in forced exile by leading an idle life devoid of any thril and thrust of competative adventurism. They have been deprived of the charm of working, excitement of promotion and strife for achieving the higher targets high posts and positions, attaining the standards of efficiency and merit in their respective fields. Having spend huge amounts by their parents on their education/trainings, they are themselves grown up now experienced, trained and well versed personnel, for the service of State and the society, but with no opportunity to serve. They are simply whiling away the time callously disowned, derecognized and discarded lot as they have been. They are forced to lead the dull life of lotus eaters, which they had never desired nor intended. It is not a question of brain drain but certainly one of

causing mental stagnation. It also, therefore, armounts in a way to brain drain. What a pity that the Society does not avail of their services ! It is a great loss to the society on the whole which the State and the society countenances without any calms of conscience. Psychological factor weighing heavily, also is involved in it.

The Government had to pay them regular pension after they had retired from service on reaching the age of supernuation and rendering the full term service. But they stand implicitly now retired enblock much in advance of their actual dates of retirement. In lieu of this and for deprivation of other incidental and ancillatory benefits of the service, they get the salary instead of the pension. It is no obligation to the displaced employees. The Government had to pay them pension today, tomorrow or the day after. It does not make, therefore, any substantial difference to the Government as it makes to these employees. They are not, however, the ones for whom this gesture of sympathy is shown. The State Government had already set a precedent for it prior to forced mass migration of Hindus from the Valley. Budhist movement in Ladakh for self preservation, resulted in some communal clashes at Leh. Consequently, the Kashmiri Muslim government employees in Ladakh fled to the valley for safety. The government paid them full salary in the Valley without work and break in service till they were adjusted in Kashmir. The same principle was made applicable in the case of Hindu employees ousted from the Valley, however, without their adjustment. The problems of salaried are not well appreciated. Most of them are still unadjusted and passing rotten and rustic days of life. A young man in service, but sitting workless with uncertian future, is deprived of all charm to live with gay and in high spirit.

Some of the adjustments and postings made in Jammu, caused furore in some circles here. It was generally observed, however, when a Kashmiri Muslim was adjusted or posted in Jammu, no notice was taken but when a displaced Hindu employee was adjusted, posted or employed somehow here, resentment was expressed and a stir was sought to be created by a section of the local Hindu population. The local leadership of national, regional and other political parties besides

some other local elements joined the issue and openly opposed such adjustments or promotion of displaced persons in Jammu.

I had issued a statement in regard to this unfortunate controversy, generated by most of Jammu leaders, belonging to various national and regional Parties and other local groups. While refering to this unhealthy trend, I inter-ala said in the statement :

> *"It will ultimately harm and recoil on national interests for protection of which, the displaced community has suffered so excessively and heavily. Its intensity and dimensional gravity is perhaps, yet to be realised by these jammu friends."*[85]

I hinted to the lego politcal position of the people in the state, including the displaced community. My statement, therefore, further reads :

> *"Jammu and Kashmir is one and the single, undivided and unified state with Hindus, Muslims, Sikhs and others living in Kashmir Valley, or in jammu as a displaced lot, having full citizenship rights in and over jammu region including the right to recruitment, adjustment and promotion in services in Jammu, Likewise, the Jammu people- Hindus Muslim, Sikhs, Christians and others, have all these inalienable rights viz-a-viz Kashmir Valley.....the sad aspect of this whole game is that the Central Government as also the Governor of the State himself, have pursued the policy of derecognising, discriminating and side lining the displaced community."*[86]

The adjustment and promotions are among the various serious problems, the displaced employees face in their service career. they feel handicapped, discriminated and stagnated, suffering unnecessarily undeserved infirmities being attached to them.

A large number of teachers, Head Masters, Lecturers,

85. *The Delhi Mid Day, March 27, 1995*
86. *The Delhi Mid Day, March 27, 1995*

Principals and Professors have long been due for promotions in the Education Department alone. In various other Departments also, the displaced employees are due for promotions but have been ignored and bypassed.

Migrant Teachers Association flayed the State government for ignoring most of the teachers while granting promotions. While terming it as continued anti Migrant policy, the Association said :

> *" Out of 3058 teachers, only 140 migrant teachers were enlisted in the selection grade and out of 289 list, only 12 migrant teachers were included in the Master Grade list"*[87]

Levelling a serious allegation against the Government of voilating the High Court order, the Association further says :

> *"The State government violated the orders of the State High Court, by which it had directed the Respondents to grant selection grade to the migrant teachers with retrospective effect from January 1986 as granted and implemented in the Valley."*[88]

Whenever some of them given promotion at the fag end of their service career, they are asked to join in the terrorist torn Kashmir Valley, wherefrom they have already been hounded out forcibly or are posted at remote places and in bad poetits. In other words, they are denied the adjustment and promotion, as they can not report for duty at the places they are posted. Who is responsible for the transferees life if they go back or join at such places of postings under the persisting hostile atmosphere and abnormal conditions? Among the stayed back Hindus in the Valley, their members are still kidnapped, harassed and brutally butchred and killed. Even now the Hindu families are made to flee the Valley and they are pouring in at Jammu. The govenment is concealing these facts from the nation. These unfortunate thrown out

87. *Statement of Association President Bansi Lal Pandite, Excelsior, December 16,1994.*
88. *Statement of Association President Bansi Lal Pandite, Excelsior, December 16,1994.*

fanilies have join their exiled community in late 1995. To cover up their failings, the government have refused their registeration as displced persons from Kashmir. How long and how far this state of affairs can be put up with? The Government has no stakes and Kashmir Hindus are being made scape goats. The promotional trasfers to the militanoy torn Valley of Kashmir at a time when terrorism was in full swing and also to some bad poetits of Jammu as if punishment awarded was strongly protest by the displaced lecturers.

> *"Not only gents, even lady Lecturers have been trasferred to far flung areas of the State like Kargil, Leh, Rajouri, Poonch, Kishtwar and Doda. Among the transfereres is the sister of Naveen Sapru who was killed by militants in Srinagar and whose youndg widow and minor child are being looked after by her at Jammu. One of the lady lecturer, though promoted has been transferred and posted at Shopian in the trouble torn Valley."*[89]

This abundantly shows the lack of the government's sense of rationality, justice and fairness as well as exposes its mindlessness and total indifference and apathy to the displaced people.

The latest government policy for transfer, promotion and adjustment is somewhat amusing and based on parochialism. Some of the Migrant transferees/promoters were sent to Srinagar against the posts of teh Hindus, staying back and serving there, were in lieu transferred to Jammu area in their respective places. It is not safe for a migrant to assumed duties in the Valley. The non-Migrant employees also were thus dislocated and transferred from Srinagar to border and far thing areas of Jammu. What a "sage" policy to punish and annoy simultaneously both, the Migrant and non-Migrant employees. Under Government Order No. : 1343 Edu of 1995 dated 5-10-1995 for example, Bhushan Lal Khan (Non-Migrant) Senior Lecture State of Institute, Srinagar was shunted out to Mehendar (Poonch) as Principal vice M.L. Raina Migrant who had given five years duty in this border area of

89. *Statement of Ms. Soma Zalpuri, Secretary Lecturers' Forum, Jammu, issued in New Delhi, The Samachar Post, New Delhi, August 27, 1991.*

Jammu. Similarly Baij Nath Choudhary (Non-Migrant), Senior Lecture DIET Srinagar, was shunted out to Dargaloom (Poonch). On this post also a Migrant could be adjusted without transfering Choudhary there from Srinagar.

To transfer, promote and adjust a Kashmir Pandit Non-migrant employee from Kashmir in Jammu transfer/promoter Kashmiri Pandit Kashmir Valley Vice them, is not a sound policy. Their inter-region and inter-se transfer, promotion and adjustment is based merely on sectarianism which should not be boosted and promoted, as has been done in the above order.

All Displaced Kashmiri Employees Forum had to bewail the Governments, unconcerned, insensitive and callous attitude towards the wail and woe of the displaced employees.

> *"One of the main issues confronting these unfortunate victims, firstly of the terrorism and then of the indifferent attitude, is the denial of their right to promotion benefits. Many of the displaced employees who are due for promotions are not given this benefit on the plea that they will have to join in the Valley to avail any such benefit.*
>
> *It is ironical that they are being forced, on the pretext of the promotion benefits, to proceed to the same environs wherefrom they have been hounded out six years back. Situation has not changed a bit there, notwithstanding the tall claims of the government, more so for the displaced employees to work there is not without risking their lives"*[90]

In extremely horrible and abnormal situation that the displaced employees are placed in, the operation of service Rules meant for normal situation, cannot be acted and applied to the victimised employees from Kashmir whose homes and hearths have been snatched. The staff Selection Commission, Government of India, waived and discounted the Rules and manipulated recruitment of thousnands of Kashimiri

90. *KEN, Newsletter of All Displaced Kashmiri Employees Forum, September, 1995.*

Muslims. Why the displaced Hindu employees have been discriminated all along this period of homelessness?

Why their sufferance is being augmented? Is their mental torture to be aggravated by treating them differently and in a hostile manner? The President's Rule in the State means the direct Rule of Indian Union in the State. The Central Government chooses to pamper all those who are residing in their houses, in Kashmir relishing the suffering of the exiled, and thriving on their displacement and dispersal enjoying all the resultant benefits and fruits. The government acts adversely and works harshly against all those uprooted for their loyalty to India! Do the sufferers, therefore, need to continue their unquestionable alignment, attachment and merger with India ? Does not the conditions and circumstances warrant review of the situation and of relationship? Apparently, the govenment do not require them nor want them to survive effectively, this inducing them to take stock of things politically in order to put an end to the indignities, humilidictions an the mental agony they are passing through day in and day out.

> *"They (the displaced employees) cannot be deprived of this (promotion) benefit and the Government shall have to treat these employees at par with other State Government employees as they are always ready to resume their work anywhere outside the Valley and other than terrorist infested areas"*[91]

The Government's hostility and insensitiveness towards the displaced community was further borne out by the fact that the selected displaced Doctors for MS and MD course, were allotted to Medical College Srinagar. The authorities wanted them to surrender these seats for their inability to go to Srinagar. 170 Doctors were selected in a comptition in the state for MS and MD courses for the session starting from 1993. Out of them,90 candidates were allotted to Medical College Srinagar (including displaced) and 80 to Jammu Medical College. The displaced Doctors were asked to join at Medical College Srinagar against

91. KEN, Newsletter of All Displaced Kashmiri Employees Forum, Jammu September, 1995.

their repeated requests to give them admission at Medical College, Jammu which the government was not agreeing to "It was to deny them the oppoutunity to receive the higher education in the Medical line", some aggrieved Doctors said

The beneficial measures, adopted and applied to the general residents of Kashmir, are also not available to the members of the displaced community. In oher words, the benefits of such measures are implicitly denied to them for puposes of regularisation of service etc. Every certificate that these employees require alongwith endorsement and report, has to come for the displaced persons from Kashmir Valley, which they have lost for the time being completely. How can they themselves get these reports ? Had the conditions and atmosphere been congenial in Kashmir for the displaced community, why should have its members then left the valley at all ?

It is writ of the terrorists that runs in Kashmir and not that of the Government. There is a total collapse of civil administration in Kashmir, which, otherwise also is hostile and inimical to the displaced people. No query made from Jammu regarding the claims of any displaced person however genuine, is not replied and responded from Kashmir Valley, nor any paper, register a file are forthcoming to Jammu No. LPC, G.P. Fund schedule gratuity payable and Service book and other allied necessary service papers and information etc.is transmitted to Jammu despite various reminders to the concerned department in the Valley from the respective and competent offices in jammu. The communications made or records summoned in respect of any displaced person even other than employees evokes no response from Kashmir.

Only lately some service records have been sent to Jammu from Kashmir. Many of these records have been tampered with and salaries for some period of migration are wrongly shown to have been paid to the migrants in Kashmir. Long before that the employees had migrated but the salary is shown falsely to have been drawn as if the employees. Furthermore, the entry of G.P. Funds deducted and grade promotions as well as increase of increments also are not correctly reflected in the records. The misappropriation of the amount of Migrant employees is,

therefore, feared to have been committed. It has added to the mental torture of the exiled employees.

One such beneficial measures referred to hereinabove, is relaxation of five years in the upper age limit granted by the Central Government to the young candidates for recruitment, ordinarily domiciled in Kashmir Division of the State. This relaxation has been granted vide a notifiction issued in july 1995, by the Central Ministry of Personnel, PG and Pensions & Department of Personnel and Training. This exemption is applicable to recruitment in the Central Civil Services and posts and also in appearing for any prescribed examination therefore. In order to avail of this relaxation, the domiciled certificate from the District Megistrate of the concerned area of Kashmir, has to be submitted.

The displaced persons are not in a position to vistit Kashmir so as to get or obtain requisite certificate and other reports and documents District Magistrate of the concerned area. The displaced candidates are unable to get this certificate and other reports through mere correspondence either. They are, therefore, indirectly denied to avail of this relaxation, which they otherwise need and deserve more than any body else :

They have been uprooted from Kashmir rendering them homeless for the last seven years and are struggling hard for survival in the face of all odds and trying circumstances. But the government least bothers for them. Another instance; The State government decided to confirm the services of all the government employees working as work charge rated employee, completing, their seventh year of continuous service by the start of 1995 or daily wage basis for the last six or more years. All those displaced persons entitled to avail of this government decision, faced again the same difficulty of obtaining the certificate/ endorsement from the competent officer of the concerned office in Kashmir, testifying that the incumbent had served in the Department for seven years or more. His original record of appointment and other service particulars being in Kashmir, they cannot get the same in jammu It result in conferment of the benefits only upon the particular

community residing physically in Kashmir and not to those ousted from the Valley and residing elsewhere due to compulsion of situation. The displaced community is, therefore, put to hardshps in every manner on every step and are deprived of such concessions, facilities and benefits.

A large number of Ad-hoc employees were working for over seven years in different government offices in Kashmir. They were awaiting confirmation orders during the course of their service. After exodus, their services were treated as terminated in jammu. The displaced work charge employees as well as daily wages also faced the same fate. In the face of aforesaid hurdles, they were deprived of the Government concession granted and continued to be the sufferers of government's apathy and negligence.

In the case of Central Government, the displaced employees had also to undergo the same bitter experience. The government has never bothered for the languishing displaced community, nor any effective and special administrative aparatus has been formed and created to all eviate their sufferings, redress their grievances and also to faciliate execution and implementation of the Government decisions supposed to favour or benefit them. It can be effectively and swiftly done through a specially created government Agency, authorised and empowered for the purpose. Bur the Government has never been serious about them. As against this, it is more concerned about the other community in Kashmir which is a good thing but not at the cost of ignoring Kashmir Hindu and depriving him of his dues, concession rights and claims. The displaced Kashmiri Hindu has unnecessarily become a sore in their eyes.

Regretfully, the government is oblivious to his immotional sensitivities, affliations and agonies. The benefits which seemingly he could have availed of, are practically nothing but an eyewash for him hardly obtainable by the displaced.

Many of the displaced employees from Kashmir are deprived of their bread and earning. About 20 Balwari teachers have been denied their salary for the last six years.

"As a result of policy of discrimination adopted by the bureaucrats against the migrants, these teachers are without pay all these years.................. These teachers were refused audience by the Governor without assigning any reason......... To withhold the salary of these twenty teachers is a clear proof of the State Government of continuing with the discriminatory policy against the Hindu minority of Kashmir."[92]

The displaced employees of Srinagar Development Authority were discontinued payment of salary for the past several months.

The displaced employees of Minerals Ltd. (A Govt. Coy.) were also not paid salary for the past many months. A spokesman of Minerals, Migrant Association said

"While the salaries were paid to one section of the employees, the orders for not issuing salaries to the migrant staff were issued by MD in most unethical and arbitrary way".

The displaced staff of III wing of Technical Educational Department, were stopped payment of salary which they were fighting against.

The Central Government employees were also hard hit by the displacement, which either snatched their breed or put them to a lot of trouble. In the Postal Department of Government of India, a number of employees were working on the caere of Extra Department Employees in Kashmir (as throughout India are), commonly known as ESEs. Their serviced ranged even over a decade priot to displacement. After forced migration of them lost jobs and were not adjusted in Jammu and surrounding places. Native Muslims were absorbed on their jobs in Kashmir.

In 1993, the Postal Department of Central Government issued a circular to it J&K Zone, to appoint Kashmir Muslims against all

92. *Protest statement of Mr. Prediman Krishan Ganjoo, President "Brahsktachar Virodhi Abhyan," Jammu, Janat-i-Kashmir, January 3, 1995.*

Migrant and other posts and regularise the services of all Muslim employees. Many of Hindu displaced employees were not confirmed even after a decade's service but the Muslim recruits were confirmed within a short period. Right from 1990, only Muslims have been recruited in all the Central Department and its Undertakings in Kashmir and outside.

These directions of the Central Government were followed by State Government which also issued instructions to appoint Kashmir Muslims against the posts of Migrants and other vacancies. Similar instructions were issued for Jammu and Kashmir Bank also. On State level as well, only Muslims have, therefore, been appointedin Kashmir in all the Departments. The net result is that the members of dislodged Hindu community are retiring from the Services, Central and State and no fresh Services, Central and State and no fresh and new appointments of their members is made. All vocational sources have now been snatched from them.

On March, 1, 1994, the State Government issued a Circular whereby the doors of the employment for the displaced youth were virtually and tactfully closed. Their selection by the selecting bodies was to take effect when these appointees actually reported for duty in the terrorist torn Valley. Such were the instructions issued to the authorities vide the circular which inter-alia reads :

> *"............... instructions stand issued, inter-alia, to the effect that migrant candidates fro the Valley whether selected by the Public Service Selection Board or District Selection Committees (class IV) be asked to report for duty upto a specified date. While inability to report by the specified date may not amount to loss of appointment in favour of migrant appointments, it has been made explicitly clear that they will be entitled to the salary only after they actually join on the posts in the Valley."*[93]

While expressing grave concern on blocking the entry of

93. *The State Government Circular No. : 15-GRD of 1994, dated 1-3-1994.*

unemployed displaced candidates into the State service, one of their leaders, refering to the above Circular, wrote to me :

> *"The said Circular, clearly seals the future of our unemployed youth and no way has been left for their absorption in government jobs for the present.*
>
> *We request you to knidly take up the issue with both the Central and State Governements on war - footing on the community level keeping in view the gravity of the situation."*[93c]

What a mockery the governements have been playing with the dislodged and the exiled community? The first hurdle is that the displaced people have no representative among the Advisors to the State Governor. The second hurdle is that they have no representative in the Central Ministry. The non concerned others, are too busy with their own affairs to the exiled community and to have them solved.

The Public Service Commission selects the candidates to fill up the Gazetted Posts, which are transferable anywhere in the State. How is it that the Commission has all these years selected candidates for Kashmir Valley only and not for elsewhere in the State, for which the Migrants also would be selected? Are the displaced politicaly untouchable that their candidates cannot be selected for any post in the State level cadre and Procinciel level cadre. On the parity of above contention, how the selection of the displaced candidates could be refused other than the Valley, particularly, when they resided outside the Valley? Even the candidates selected for the Valley posts, the binding created, is not relevant as the abnormal situation prevails there and the Valley is legally still a "Disturbed Area". Their posts and the Budget therefore, should be transferred to Jammku for the time being. It is all the more necessary if the government is fair and sincere (which it is not) to give their due to Jammu people also and not to burdent them in the services with the unnecessary weight of Kashmir exiled Community.

93C. Extract from the letter dated May 22, 1994 from Mr. M.K. Jinsi, General Secretary All Displaced Kashmiri Employees Forum, Jammu.

It may be stated that Jammu is itself suffering heavily and the number of its unemployed youth is rapidly swelling for which the government cares least. In Poonch district als unemployed youth, male and female, were forced undergo protest Dharna and fast into death, against the governement bringing in selecting and appointing the favoured candidated as teachers there as well as growing unemployment of the eductated youth in the district. Quit a good number of unemployed and ignored educated girls were also on protest fast unto death. One fasting girl Gurdeep Kaur had gone into coma on or around December 5, 1995. The condition of some other fasting girls had also been deteriosated, including Reeta Devi, Naresh Kumari and Harjeet Kour. The problem of growing unemployment and government apathy exist in Jammu. The Central and State Government have been placing premium on Musli fundamentalism, terrorism and recession. The centre is bent upon to crush the loyalists.

All the State and Central Government jobs held by displaced Hindus and also in the Government Undertakings / Corporations and Banks etc. were filled up alongwith further openings, by the native Muslims. In the Banks, the standard of work was not reportedly maintained although the work load was lesser. A new such recruit of State Bank of India, Srinagar, embezzled money was shielded and retained in service. He was asked to pay up the embezzled money in easy instalments, while continuing in service. This is the difference in attitudes and approaches. Among the fresh displaced aspirants many have became overaged,now unable to be recruited. Out of 14,000/- Kashmir Hindu Government employees about 8,000 have retired during this period of exile and rest are awaiting their turn for retirement within 4/5 years withot getting young ones recruited and absorbed. The government has, by and large, and by implication, retired alll the displaced Hindu employees prematurely.

Many of those displaced government employees who retired during the period of current forced migration, have either yet to get their pension cases compled, updated, settled or have not been paid their G.P. Funds, gratuity and other dues. In other cases if paid but not in full, only for want of 'No Objection Certificate' to be obtained from

different sections and departments located in Kashmir where they have served in the past. After having remained in the government service for full term, their life long saving have mostly or partly been withheld by the government for nonfulfilment of certain formalities beyond their control. In many of the cases, G.P. Fund and Gratuity etc., has not at all been paid to the displaced retired Government employees, despite their repeated requests. Just a quote an instance :

The final G.P. Fund (No. 18490 E.D.) withdrawal case of Prof. M.L. Ambardar was sent to AG's office, Jamm in the long run in reference to AC's letter No. : GPF/95/655-56 dated 6-10-1995, by camp M.A.M. College Jammu vide letter No. : PF/GPF/6494-95 dated 29-1-1996. Without any fault of the claimant, his G.P. Fund to the tune of over Rupees One lakh five thousand has not been paid to him so far. His Gratuity of over Rupees twenty thousand has also not been released to him, though statement of "No Outstanding" submitted by him long back, after duly verified and endorsed by the concernedPrincipals of the Colleges. The real plight of members of the dislodged and exiled community is suppressed and not known to the nation.

The retired teachers and other employees of Kashmir University have been "crying hard for the settlement of their pension cum gratuity etc cases during the last three years. Various representations to the University at Srinagar (J&K) have been made but with no returns at all."[93d]

These are absolutely no problems for the employees in Kashmir Valley who draw the advances during their tenure of service and after retirement more than the amounts due without any hindrance and objections. The retired displaced employees have thus been thrown on the roadside callously and for no fault of theirs. It has incapaciated them of performing certain duties and obligations, even those of marrying their children. Their own earned money not being in their also and under their control, is as bad property as in the alien hands ousting the claimant and denuade him of the right over the property. Do the government of India mean to create similar situation in Kashmir

93d. Extract from the representation of Dr. M.L. Wangoo, dated 16-1-1994.

also for displaced community? Why should otherwise a faultless citizen undergo such unending sufferings and the government looked it helplessly or indifferently ? I am told that some of the sufferers have taken seriously and they processed, have passed away due to the shocks or they received on this account.

The displaced employees are not paid house rent which their counterparts in Kashmir draw. They are not entitled to rations even against cash which normally other citizens are drawing.

"While the employees posted at Srinagar are drawing their rent allowance as a class 'B' city and are also entitled to diturbed are allowance, the same category of employees who have been forced out of Kashmir are drawing a nominal rent much lower to that which they could have drawn in Kashmir ....

The migrant employees are not against cash payment........... The migrant employees are not entitled even to normal rations against cash payment.................. The migrant employees should have been treated at par with normal residents of Jammuk with regard to basis necessities of life."[94b]

The funny thing is tha the government is paying "disturbed area" allowance to those in Kashmir least who have been disturbed and displaced but not those who have been really been disturbed and displaced. The facility of normal rations against cash has also not been made available to the displaced people excepting the free ration and relief card holders, mostly camp dwellers.

The migrant staff of government aided Educational Institutions of Srinagar both, teaching and non teaching, is another suffering section of the exiled community. Under grant-in-and Rule of 1975, the State Government has been re-imbursing 100%of their salary component since then. These Institutions are :

94b. Extract from the representation made to the author as a public man, for getting the grievances the aggrieved redressed.

Gandhi Memorial College, Vishwa Bharti College, Vishwa Bharti Institute, D.A.V. Higher Secondary School, D.A.V. High School Rainwari, National High School, Hindu High School, Lal Ded Memorial School, Roopa Devi Sharda Peeth, Rupa Bhawani High School, Arya Girla High School Kathlisher, Hindu High School, Gankhr, D.A.V. Pathsalla, Hazoori Bagh. There are numerous other recognized educational Institutions/Schools/ in Kashmir but are not aided by the government.

The above institutions are functioning in Srinagar with a skelton staff after forced migration of the bulk of the staff members in 1990. But these members in exile, unlike Islamic College, Srinagar, are not paid their salary by the Government. The migrant staff of Government aided Islamia College Srinagar is directly paid salary through the Directo of Education, Jammu. How ggaring discrimination is meted out to the migrant staff of the Hindu Institutions/Schools.

> *"It is a tragedy that almost 600 unfortunate employees of the aided institutions haveing 2-3 decades of service behind them, have been left out in the lurch............................ are left to sarve due to the callous indifference and apathy shown by the State Government."*[92a]

They have been made to suffer and starve in exile and their length of every step discrimanation is faces and humiliation suffered by the displaced people. The other migrant staff of recognized unaided Schools is no less a warried and deprieved lot.

It is just an indication as to how a displaced person is in fact, killed by inches by the Central Government ! The people of India show their acute type of insensitveness and non-concern. The Kashmir terrorists have snatched robbed or deprived displaced community of every thing in Kashmir : Their all belongings and properties, their lands, their orchards, their temples and shrines and above all their sweet home and enviable culturalties. And in exile, the government squeezed them,

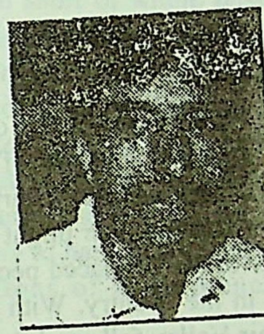
92a Extract from the representation made by the concerned quarter for redressal of their grievances.

delaying or depriving them of their life long earnings, savings and above all, every moment of otherwise contended life, forced now to lead an agoniaed life of undending miseries and torture. What the government has not been so far able to snatch from them is the breath they inhale and the sighs they exhale.

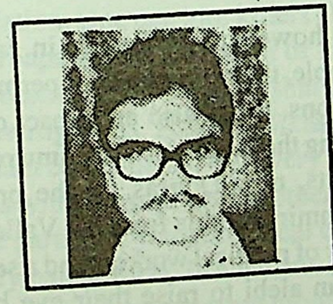
Killed by the terrorists in Kashmir □



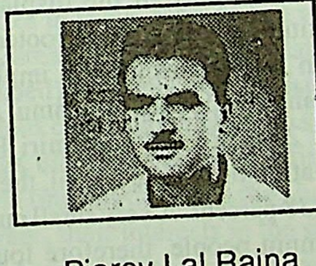
Chabi Lal Kapoor,



Mushtaq Ali



T.K. Razdan



Piarey Lal Raina

Chapter-XI

Ordeal Of The Displaced People

Part - I

After mass exodus of Hindus from the Valley of Kashmir in 1990, including a number of Sikhs and some Muslims, the Jammuites received them with open heart. They befriended them and felt extremely concerned about their plight and the situation that was developing. A number of the displaced people went straightway to Delhi and other places in the country. With the passage of time, more Hindus from Kashmir Valley followed the suit and reached Jammu, as they found themselves insecured there; They also saw no early end to the terrorism in the Valley. The displaced mass found remote chances of their carly return and resettlement in Kashmir.

The stay of the displaced, however, prolonged in Jammu Constituting bulk of the uprooted people, their prolonged or permanent stay in Jammu has its own implications. It has also an impact on the economy and politics of Jammu. Among the Brahmins of Jammu region, about 22% are old Kashmiri Pandits, now Dogras. In the present population of Jammu Tehsil, the Kashmiri Pandits from the Valley are about 38 percent. A very small number of political workers and a section of Jammu people, therefore found an alebi to raise their eye brows against the near settlement of dislodged people in Jammu. Their objection and resentment may or may not be having any basis but it has undoubtedly no justification. The fact remains that their such a hostile feeling against the Kashmir dislodged people, came to surface and found expression in various ways.

Whether the stay of displaced people in Jammu had any advantage for Jammuites and whether their exit from Jammu was beneficial to them, were moot points, nevertheless. But to think in terms of their stay or exit from Jammu, under the prevailing circumstance, is a more serious matter than linking it to the mere liking or disliking by any local group or section, howsoever small or big it may be. The stay of exiled Community in Jammu has added to Jammu's glamour and colour and also increased the income of transporters, cloth and general merchants, vegetable and fruit vendors, house owners and other lords for letting out premises on rental basis, in short of whole business community of Jammu.In one way or the other, the money spend by the displaced community, reach every one in Jammu directly or indirectly. According to an estimate, the dislodged people spend about ten crore rupees monthly in Jammu which go to the pockets of her people. Does the time factor as such, for staying or quiting Jammu by dislodged community, really means any thing for Jammuites? The underlying idea of their going back, therefore, appears to have originated from something else, than mere considerations of convenience or inconvenience.

This sordid dramma has commic feature and tragic interludes. Jammu is comparatively a crime infested area and crime rate is embarassing in comperatively such a small place with low percentage of population. One can hire killers also. The rate of suicide is also very high, perhaps higher than most of the cities in India. Suicide is a very rare phenomenon of life in Kashmir. In Jammu region the population also is hetrogenous. Hindus (Sikhs included) Muslims and Christans are its main constituents. But every religious community has deep sub-divisions within, based among other things, either on the group affinity or on the particular traits and local cultural tinge of the place they have originally hailed form. In a narrow analysis , their interests in the sub-caste or sub-division are more pronounced and more poignant than the eohesion in their thought and action even on the regional level. Sometimes,their precepts and professions differ sharply, nay conterdict vehmently with one another. It was not the spectacle presented, by and large, in the Valley, at least, at the time the fate of Hindus was sealed there and were forced to leave their homes and hearths.

The life style and the mode and manner of living of the displaced and dispossessed people form the Valley, is not, however, exactly the same which their co-religionists in Jammu are adepted to. The displaced belonged to all walks of life government and private employees, pensioners, traders and businessman, agriculturists and orchardists as also students.

The displaced Kashmir Hindus are the most suffering lot and form the victimisied community. 100% literate and free from any crime rate, members of this community underwent the occasions of harassment and embarassment in Jammu.

I am reminded of the days when the Tibatian Muslims came to Kashmir to seek refuge after abnormalcy had erupted in Tibat and Dulai Lama and others had to quit their country. Given by the government all concessions and facilities, the Tibatian Muslims were properly protected and their alround safety ensured by the State authorities. To avoid and avert any case of kidnapping and elopement or forcible marriage of Tibatian girls and wormen folk, District Magistrate of Srinagar had issued a circular restraining marriage with any Tibatian girl without prior permission from him . It was to verify the genuineness of the marriage proposal and ensuring the safety of the Tibatian women folk. However, the Kashmir Muslims behaved in a dignified and civilised manner and there was not a single complaint against any of them, nor any highandedness or indecency was committed against any Tibatian refugee girl in Kashmir. Whereas the Kashmir displaced people are State Subjects and citizens of the country and responsibility of the authorities towards them is no less if not more. But this presumption and dependence appeared to be baseless.

One may agree with the District Magistrate's above measure or not, but it is cited only to show the quantum of interest and the extent of responsibility the Kashmir Government displayed for the protection and welfare of the Muslim Tibatians, who were neither the citizens of the State nor of the country but aliens totally.[92c]

92c. The author has already referred to the settlement of Tibatian Muslim in the Valley, earlier in his book , "Crisis in Kashmir".

In the case of Kashmir displaced community, however, soon indifferent attitude and approach of the authorities had surfaced everywhere. Their condition became precarious and living tortuous. Their day to day problems assumed much wider dimensions and aggravated with every day that passed. Both the governments, State and Central, have complicity in ignoring, maligning and treating them shabbily. Furthermore, in harassing and denigrating them, there may or may not be the hand of administration directly or indirectly, but the fact remains that certain sections of the local population came out against them on the streets in Jammu openly. The Government merely cherished their anxiety and anguish.

A few instances of harassment, torture, abduction and killings of some of the members of the exiled community, are given here briefly.

A 42 Years old Government employee of Veternary Department Srinagar, Rattan lal Pandita fled to Jammu alongwith his family in 1990. They stayed as tenant in a portion of the rented house at Indra colonly on the outskirts of Jammu city. Another family and the house owener were living in remaining portion of the house. Rattan Lal Pandita had arranged for marriage of his young daughter which was to be consecrated in Jammu on 24th September , 1990. Three unidentified masked young men armed with pistol and sharp weapons, entered the house on one night and violently stormed the dwelling room of the displaced family on or around September 17,1990. The frightened family asked them as to who they were and what they wanted ? There was no reply. The helpless family members resisted them jointly and tried to oust them from their rental accommodation. They also raised hue and cry for help. The intruders sensed danger, though no one in the house came forward to help them. An intruder started firing and Mrs. Pandita grappled with him and tried to snatch his pistol, but in vain. Her husband was fired from close range killing him on the spot and the assailants ran away. It was marriage gift to the displaced girl in Jammu, performance of which, however, had postponed in view of the "gift" of this tragedy .

Sat Pal and his famililly members were putting up at Indranagar

Migrant Camp, which falls within the Police Station of Bishnah. His young wife Pushpa Devi, was one day reportedly kidnapped by some unknown persons. The tent dweller Sat Pal, lodged a complaint with the Police. His report, however, did not evince any interest in the Police and so the Police did not move in the matter effectively. The helpless family cursed their fate and the indifference of the Government towards the displaed people. Pushpa Devi was said to have been gang raped for over a week . Her body was thereafter recovered from Nallah Gadigash in the first week of August, 1991. She was either murdered finally by her kidnappers or had succumbed to repeated sexual assaults made upon her by a merciless and virulant gang continuously for many days.

Needless to say that the State of Jammu and Kashmir is directly under the Central rule for long now. It is the model of their approach to things and problems and ways of functioning.

There is therefore, apparently no difference between the unchecked excesses committed by the terrorists against the ousted people in the Valley and the indifferent attitude of the authorities exhibited against them in Jammu. In either way they have been victimised.

Makhan Lal Dhar, was a displaced employee of MES. He was one day returning to his place of dwelling when he had reportedly only rupees fourteen in his pocket. He wanted to save this little money to meet small but urgent expenses on the next few days. Walking, therefore, on foot at the dusk through the barren area of Durganagr in the suburb of Jammu city, Unidentified miscreant took him unawares and attacked him, He was brutally killed and snatched Rs.14/- on or about November 30, 1992. Police recovered his dead body with various stab wounds after 14 hours.

One Bansi Lal was residing at a hired premises at Jeevan Nagar, Jammu alongwith his family. Some unidentified miscreants on one day, made forcible entry into his rented room. In presence of his family members, the assailants inflicted fatal injuries to his body with a sharp edged weapon. He fell unconscious and the miscreants made their exit. The helpless displaced asylum seeker in Jammu, was removed to

Hospital where he suceumbed to his injuries.

> *"In an emergant meeting, the (Sahayata) Samiti viewed with concern the increasing number of attacks on migrant community. Three migrant persons have been murdered here during the last two months."*[100a]

Jai Kishori Tickoo, a migrant from Kashmir, had returned here after paying a visit to her son in Canada. Only a couple of days thereafter, she and her brother and sister in law were murdered and their belongings looted at Talab Tillo, Jammu. This took place on or about December 13, 1993.

> *"The couple identified as 65 year old Pran Nath Koul, retired Post master and his wife Sheela Koul, 60, was hacked to death while Pran Nath's sister Mrs. Jai Kishori Tikoo, 59, was strangulated with an elecrtric wire, Police sources said.*
>
> *The couple which was sleeping in one room were hacked to death with a digging instrument which was picked up by the burglars from inside the house. Hearing the sound, Mrs. Tikoo, who was sleeping in adjoining room, woke up. The burglars stangulated her to death with an electric wire.*
>
> *Later the burglars removed ear rings and other golden ornaments of the deceased and took away some cash and other belongings."*[101a]

The latest case of a migrant killing took place in the month of April, 1996. A displaced young girl private school teacher was kidnapped with oblique motives. After two days, her corpse was found in the Jammu Canal.

Shiban Krishan Koul, 40, a Census Department employee had fled from Srinagar to Jammu on July 7, 1990 at the threatening of terrorists. Soon after, time in August, 1990, he was called out of his

100a. The Excelsior, January 4, 1993.
101a. The Excelsior, December 15, 1993.

rented house at Sanjeeva Polourk in Jammu, by some persons on the plea to have some talk with him outside. The lone earning hand of the family, he went out of the house, but did not come back. The father of two children and husband of young wife, Koul has been missing sinc :, though FIR was lodged by his parent with the Police Station concerned.

A young girl of Qasim Nagar (Jammu) was kidnapped on 31st October, 1992. In an FIR lodged with the Police, her mother named a local person of the Mohalla whom she cited as abductor of her daugher.

The two teen aged displaced girls were kidnapped from Migrant Camp Kathua within the span of 15 days in the month of late January 1994. Both these girls were daughters of a helpless widow.

Bobby, a young daughter of Bansi Lal, a migrant, She has been allegedly eloped from Chhani Himat Police Colony, Jammu in early May, 1996. A Muslim boy of Kupwara district (Kashmir) is said to have been visiting to his elder brother at Chhani Himat. The latter is stated to be working in State Armed Police and is residing there. The boy from Kupwara is said to have enticed away the young girl who has been taken to district Kupwara.

The "Ath" (golden ear chain) of a young married migrant lady was forcibly snatched by miscreants in broad day light at lane no. 2, Talab Tillo, Jammu. She was married in April, 1993. The lady cried for help but no body came forward when the incident took place in December, 1993.

Two unknown persons pounced upon a migrant, Radha Krishen Kaul and forcibly snatched his hand bag. This incident took place at 12 A.M. on May 5, 1994 near PNB, Shastrinagar, Jammu. The bag contained besides other things, cash Rs. 970/- FIR Case no. 302/94 was lodged by him.

Some provocations and resultant attacks and clashes have also been reported. In April, 1993, a displaced petty shopkeeper at Nagrota Camp was slapped and called names by a local youth of the nearby vicinity for asking to pay the cost of a small article he purchased from him. The young shopkeeper retaliated the assailant customer left and

came back after a while with a gang of youngmen and attacked the shopkeeper, creating commotion on the spot. The latter's relations and some other displaced persons of the Camp rushed to rescue the vicitim. The Police came to the spot and acted in a provocative manner and harassed and condemned the displaced persons. A number of them was arrested in the evening and detained in the Police Lock-up. Every authority takes the members of the displaced community for a ride and treats them as dumb and deaf cattle. The detained persons were subsequently challaned by the police in Court, for their resistence and self protection, which the police failed to provide to them.

An unprovoked and planned attack was made on the displaced persons in the Muthi Camp. The girls of the displaced community were being harassed and teased by some local boys. A few young man of the community objected to their behaviour and protected the girls in one or the other way. This was resented by those miscreants and anti social elements of the area. They, therefore, made a calculated and violent attack on the displaced youth on or around 29th May, 1993, whose sisters and relations were teased and harassed, so as to subdue them. Thus, the miscreants wanted to have the road clear in future for themselves to play any mischief in future with these girls. While resisting the attack, six displaced youngmen were injured. The misereants left and the Police visited the spot, but did nothing more than posting a few constables on guard at the Camp for some days.

Besides Jammu, the crime against members of the displaced community has been committed in Delhi also. A brillant law student of Delhi University, Priyadarshani Mattoo is one of the worst examples. She is alleged to have been mercilessly killed by an influencial youth in Delhi in January, 1996.

Exhausted by paying exorbitant rent and insistence of landlords after some period to shift elsewhere, a sizable number of displaced people started constructing their own houses and tenements in Jammu region. The miscreants and anti social elements went to them to extort handsome amounts. One such victim is Makhan Lal Kandroo, who has built a house outside the Octroi Post of Udhampur town. During the

construction work of his house, some miscreants approached him on the spot and demanded payment of fifty thousand rupees cash immediately. Or else, they threatened, he would be killed and construction of the house stopped.

Kandroo explained them that he was a refugee from Kashmir and that he was himself tight for money. They did not relent. After collecting money from all sources, the total cash left with Kandroo for further construction was only Rs. 5,000. The rufians robbed him of this amount and he had to stop further construction of the house for want of money.

Some other displaced persons started construction of their small houses there. Again, such elements appeared before them and asked them to pay the demanded amount. What could they pay them when they had hardly any money to make construction. Already desperate, these displaced families came togather and started to fight them out on taking aggressive posture in disgust. After seeing the Pandit families became violent, the extortionists took to their heels from the place.

There have been instances of taking out processions and making public demonstrations and protests as well as issuing press statements by some groups of the local people against the displaced Hindu community. In their attempt to create a vicious atmosphere some of the Kashmiri Hindus were reportedly manhandled by such elements at some places and in some matadors while boarding the same.

> *"A mysterious campaign by some elements has started against Kashmir migrants in Jammu. Besides slogan shouting and demonstrations made against them, some of them were physically also attacked. Demand is raised that payment of cash relief to them be stopped or they should be sent back or ousted from the State.......*
>
> *Some circles think that the tension prevailing against Kashmir migrants is created by some elements, conscously or*

unconsciously, who are inside the government or out of it."102a

A section of the students was also sought to be involved in this nefarious game. Jammu Joint Students Front was heading this crusade. Besides other political elements, local Shive Sena was on the forefront and tried to assert as a leader of this campaign against Kashmiri Hindus. The demands of the campaigners included : No displaced students be given admission to any Government school, College or University nor to any other Government Technical, Medical, Engineering, Professional College or Institute; no displaced person be recruited and employed for any department or branch of the State and Central Government or of any Government or semi Government Undertaking / Corporation or Bank located and functioning in Jammu; and no displaced government employee be absorbed, adjusted or posted in jammu against any vacancy or post available in Jammu. Over and above, an open demand was subsequently raised by such elements asking "Migrants to vacate" Jammu. Small processions were taken out in the city, raising slogans against them and demanding their exit from jammu. They also warned the government to arrange quiting of displaced Kashmiri Pandits from Jammu or face the consequences.

Since the general masses in Jammu were sympathetic to the displaced people, these elements did not succeed in their attempt to pollute the atmosphere, though it had some effect, which could have assumed alarming proportions, but for other factors that ensued.

Finally a protest relay fast and Dharna in groups was resorted to, by such elements in support of their demands. They did not slacken in urging the governement to turn out the displaced Kashmiri Pandits from Jammu.

The aggressive, provocative and humiliating attitude of these elements against the Kashmir displaced Hindus continued unabated quite for some time. During the days of "Dharna" observed near the old University Campus, Canal Road, Jammu, they stooped down

102a. Mr. A. R. Rana in the "Hind Samachar", Jullandar, December 1, 1992.

shamefully very low the details of which are not worth while to reproduce here. Suffice it to say that this anti Kashmiri Pandit campaign was reaching a climax, which at all was not in good taste. Even the Muslim goons in Kashmir have perhaps not dared to address, malign and humiliate Kashmiri Pandit community in Kashmir in the manner it has been in Jammu, by these elements.

I have no hesistation in saying that barring the current Muslim terrorism and fanaticism, the Kashmiri Muslims had, by and large, cultural decency and trait of helpfulness. They were to a large extent, human beings first than anything else. I had more Muslim friends in Kashmir and some really dependable ones than I had in my own community. What be, however, the aftermath of this ongoing Muslim fundamentalism and terrorism in future, I do not know ?

In the case of quite a good number of members of the exiled community, the terrorists have been no doubt, far far aggressive, savage, brutal and dastard, which has no comparison to it.

What then is the difference between the Kashmir Muslim terrorists and Hindu Indian elements so far as the displaced Kashmiri Pandits are concerned ? Is the difference of modus operandi only with variation in degrees and emphasis ? Is the ISI operating in the State in different forms and through different persons provoking unpleasant actions and activities ?

Observing of this continued campaign of villification against the displaced people, its saner elements feared another exodus of the Community, from Jammu onwards, or else consequent dangerous conflicts and clashes. It could be a political death for Jammu. A delegation[105a] of Kashmiri Pandits, arranged by M.L. Aima, All India Kashmiri Samaj Displaced Action Committee, Jammu, therefore, called upon the Governor, Girish Chandar Saxina in this regard.

105a. This delegation included Justice (Retd.) J.N. Bhat, Mr. M.K. Tikku (Ex. Minister), Maj. Gen. (Retd.), B. N. Dhar, Messers M.L. Aima (Conveyor), H.N. Juttu, M.L. Thussu, P.N. Handoo, Durga Nath, Baskar Nath, and the author.

The delegation apprised the Governor of the emerging dangrous trends and the attempts to create explosive atmosphere in Jammu. It was regrettfully observed that the Governor was awfully ignorant about some sordid facts in this connection. He feigned ignorance about the vital events or was really not in know thereof as indicated in one of the preceding chapter.

Do you desire another exodus of the bypassed and neglected community? The delegation politely wanted to awaken the Governor to his responsibilities, functions and duties. To avoid and avert any conflict and confrontation with any elements of Jammu, the delegaion tried to caution the Governor, to see the fallout of first exodus.

It is sad that all the Governors (with exception of a few) have been more interested in their tenure and term of office than in the interest and welfare of the State. The Governor's failure in according the fair and deserved treatment and protection to suffering people, is in itself a tragedy. Whenever there was any move for changing Saxina, he would try to tap every source to get his extension as Governor recommended. Once on such an occasion, he contacted State Shive Sena Chief, Devindar Krishan Shastry to prevail upon Shive Sena Supremo, Bal Thakery to speak to the Prime Minister for his retention.

Shastry accordingly went to Bombay, a knowledgable source disclosed to me, and persuaded Bal Thakray to recommend to the Prime Minister, continuance of Saxina as Governor of the State. He was, thereafter. Saxina had no will to do anything nor had any initiative.

A great virtue of Girish Chander Saxina, however, was that he was not inaccessible and would accord audiance. He would not like to plug the public channel of information and complaints. The important step taken by him in this behalf was setting up of "Advisory Council" constituted of many public men, belonging to different political shades of opinion. He would listen to grievance patiently, but could hardly prove himself to the mark in redressing the same unless he felt personally inclined and interested to do a thing howsoever vital or trivial that were to be.

I, however, wonder what prompted the above elements to have taken initiative in denouncing and demanding ouster of displaced Kashmiri Pandits from Jammu or what instigation was received by them in striving for their ouster, and to have made that a vital issue of top priority ! It requires a thorough probe by the government. Shive Sena perhaps tried to gain political mileage out of it in Jammu, least realising its ramifications within and repercussions outside the State. They might have probably thought to use it as a political weapon to as to make dent in the eloctorate of Jammu. Surprisingly, its state chief, Davinder Shastri and some other office bearers are said to be themseleves non-Jammuites and have come from outside to settle in jammu. There is formation of some other groups of Shiv Sena in Jammu working independent of one another. These other groups are, however, sympathetic to Kashmir displaced people and also raise their voice in support of their grievances, some times.

The other rift raft elements had also seemingly joined this slannderous campaign against displaced Kashmiri Pandits. It is deplorable that the government allowed to continue these sinister activities without check.

Some of the political observers, however, saw a big political game behind it. They thought the strings of this campaign were pulled elsewhere. The Central government was intending to start political processing in Kashmir. The Kashmir Hindus, were to be made, scape goats, for this too, as always they have been. Accordingly these observers say, the State Congress leaders wanted to create and generate such an adverse atmosphere and hostile conditions in Jammu against the diplaced people so that they were forced to go back to Kashmir in desperation. It was done allegedly with connivance of the Government. Consequently in dejection as well as by motivation , 15 male persons of the displaced community went to Baramulla on trial basis. They left the families at Jammu. They could not , however, go to their respective houses in the town and had to take shelter in Police Station. One of these fugitives in their own town, Soom Nath was fired at by the terrorists. He was seriously injured and their presence became added law and order problem for the Police. It were the police officials themselves who

removed and escorted them back to Jammu. It was contrivied by the government and the ruling party apparently to infuse some sprit into their political processing in the Valley, which plan, however, failed due to intervening and ensuing of certain important events like escalation of terrorism in Doda district of Jammu region.

Kashmir Hindus have always been used as cannon fodder. He has been tamed invariably for the time and the occasion he has to blast and blow up during any combative excercise, like a sacrificing animal is maintained and sacrificied on the awaited and appointed day of ritual and celebrated the festivity. The fate of Kashmir Hindu is made no different and better. They are tossed from pillar to post. Renderred homeless as they are, they have been reduced to the position of political gypsies. The Kashmir Hindus are being politically exploited and otherwise also damaged. They see themselves tied to the peg of Indian patriotism and lost emotionally in its diversity, making least effort to ease themselves from this appendage for an assertive life. They are confining themselves unrewardedly and inappreciably to the orbit of Indian fanaticism which have shackled their feet and retarted their movements to and fro.

There was a complete failure on the part of the Government to set the matters right. It were amazingly, the other factors, forces and events which supervened and relieved the displaced people of the worry on account of the aforesaid tension otherwise inimical to the vey existence of Kashmir Hindus and all that they stood and suffer for. Strange though it may sound, but it did happen. It was the spread of insurgency, terrorism and militancy in Doda district of Jammu region, whicch prevailed better sense on the elements who had risen against the displaced people form Kashmir.

Escalation of terrorism to Doda district, resulted in some exodus from this district as well.

The Developments in Doda district have in a way helped the displaced Kashmir Hindus to stay in Jammu. What an irony ! The Islamic terrorism caused exodus of Kashmir Hindus from the Valley and the

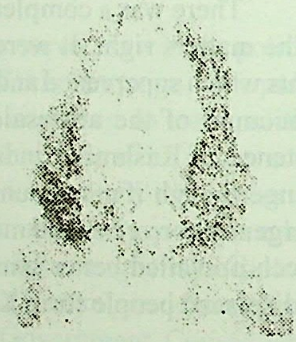
same Islamic terrorism in Doda district of Jammu, prevented likely further exodus of the displaced people from Jammu onwards. How the antagonistic focus act and react differently in different places and situations?

Victims after migration outside the Valley



Makhan Lal Dhar

assessinated in Jammu



Miss Priyadarshani Mattu,

killed in Delhi

Chapter-XII

Ordeal Of The Displaced People
Part - II

The weather in Jammu is inclement. It also works hard and harsh to the exiled population. These people, coming as they do, from a cold region, are not acclimitized to hot weather. To live helplessly in high temperature when mercury goes to 40 degrees Celsius above, is certainly a sort of punishment to the displaced people : During the British Raj, the hardened political revolutionaries were sent to "Kala Pani" which the tiny island of Andeman was nick named then, for suffering the severe punishment awarded to them. Some times one feels that the displaced people are also in a way suffering the punishment of Kala Pani, particularly those still living in tattered tents or camps of pigeon hole cells.

They confine to their tents and camps without having nearby available water, shade, medicines and medical treatment as also being without safety and protection from poisonous creatures and insects. Tons of money has been spend by Social Department. But not a tree is seen in Jammu, its outskirts and suburbs which could provide relieving shade from the serching Sun. The difference is that the actual prisoners of "Kala Pani" suffered for fighting the British Government to achieve independence of India. And the Kashmir displaced people have been suffering for defending the Indian independence in Kashmir.

Hardly is any displaced person in Jammu, Delhi or elsewhere in planes who has not suffered at least from skin disease. Innumerable

have been the cases of sunstroke, scorpim and snake bites. A large number of displaced persons both, male and female, have consequently met the premature end of their lives. In the very first summer of mass displacement in 1990, over 65 persons died of sun stroke. Death cases due to heat continue even now. Roshan Lal Saraf was one of the Sun stroke victims at Chandigarh last year. A few instances are briefly mentioned here :

A thirteen year old boy, Michael Raina fell unconscious while drawing out the dirty water collected near his one room tenement. Since the displaced persons live in unhygenic conditions in the camps, the boy was, therefore, engaged in cleansing work to prevent the breeding of injurious and fatal germs there : He fell, meanwhile victim to the Sun stroke No. sooner he was shifted to his close by room in Muthi Migrant camp, Phase I, about Jammu, then be expired on June 21, 1993.

> *"During the last ten days, six Kashmiri migrants including two traders, have died of sun storke................. The traders Chunni Lal Suri and Shyam Lal of Bakshi Nagar had succumbed to heat while sitting on dharna outside the Relief Commissioner's office in support of their demands....... Beside over 60 migrants at different transit camps and other places have suffered sun stroke this month with the mercury maintaing at 42 to 45 degrees Celsius."*[106]

The other displaced persons who died in some days of June,1993 due to heat included Shambhu Nath of Kathua, Bhushan Lal Bhat of SRTC Camp (now removed) Daya Krishan Moza of Paloura and Teerath Ram Amla of Purkhoo camp:

Another trader, Bal Ji Tickoo of Tope Sherkhanian fell unconscious due to sunstroke while sitting on dharna in the office of Relief Commissioner, Jammu, pressing the various demands. The Youth of 32 years was immediately shifted to Hospital in critical condition but to in avail. The Government did not however, pay any heed to the demands of Kahsmir Refugee Traders Association. Sheela Devi of

106. The Excelsior, June 23, 1993.

Nagrota Camp and Brij Nath of Purkhoo camp also suffered from sun stroke when they were sitting on dharna in the office premises of Relief Commissioner. Another exiled trader Tej Nath Raina, fell victim to the sun stroke while sitting on dharna in the office of Relief Commissioner in first week of June, 1993.

The Kashmir Refugee Traders' Association was demanding economic rehabilitation and implementation of the decisions taken in New Delhi regarding the traders and othe displaced people. The decisions taken were only on the paper and apparently intended to serve as an eye wash only. The time has shown that the Central Government was never keen to help the Kashmir displaced people and the so called ameliorative decisions were to hoodwink Kashmir displaced communityas well as the Indian nation. The promises made by the Government never fruetified. The cases of Sum stroke victims of Kahsmir exiled community did not come to an end even after so many years of displacement.

> *"Over 160 Kashmir migrants have succumbed to heat stroke during the last about five years of their migration here ....50 percent were women and children who could not bear the unusual temperature of 45 degree celsius."*[107]

The cases of scorpin and snake bites have also been numerous. The deaths by snake bites are also irrespective of sex of age. Many of the children have also been victim of it. A 13 year girl, Meenu of Purkhoo camp was also among the victims. The suicide cases among Kahsmir Hindus were very rare in Kashmir. But among such cses in Jammu , two cases of displaced persons were reported in 1993. Under the local conditions and circumstances , Aruna 16 years old committed suicide at Udhampur around 21st September, 1993. Kanta, 57 year old committed suicide at Talab Tillo, Jammu, on or about 28 November, 1993.

The health condition of the community members has far detirated. They are under the grip of anxiety and tension which has

107. The Excelsion, June 23, 1995.

also caused them various diseases. Due to it, they fall prey to the diseases spreading up in the vicnity or breed in the atmosphere they live in."

> *"Dengue fever.................. has struck the Kahsmiri exiled Community living here sicne the exodus of 1990 in a big way, as the virus found a helpless, virgin, non-immune population at its merey. There is an estimate of ten thousand of this displaced community already having fallen a victim to this pestilence which does not generally kill but batters the body and the spirit.*[108]

Normally healthy people, the displaced are now bordering the abnormalcy. A study of the displaced married women in Delhi camps, undertaken by Delhi Administration couple of years back, revealed that the displaced women suffered from anaemia and had very low haemoglobin level.

> *"Most of the migrant Kashmiri women living in State run camps are suffering from mild to moderate anaemia, but are still better off than an average Indian women, says a recent study.*
>
> *Migration has led to marked changes in the life-styles of the Kashmiris. The family structure has changed from joint to the nuclear units in the camps................................ inspite of the poor condition under which they have been living, the women have better health standards than the National average."*[109]

About 80,000 displaced Kashmiris are living in State run camps in New Delhi, where they lack many facilities.

> *"In search of better oportunities for employment, accommodation, children's education and improved security conditions, the migrants are forced to live in over crowded camps with inadequate facilities."*[110]

108. Dr. K.L. Chowdhery in the Excelsion, November 4, 1993
109. The Hindustan Times, November 19, 1993.
110. The Hindustan Times, November 19, 1993.

In Jammu camps, the plight still worse. No better position can be expected in presence of the insensitive and incompetent bureaucracy. The administration has a pretext of fighting the terrorism. The authorities take it as no part of their duty to look to the grievances of a languishing community whose present condition is also the result of terrorism.

> *"................... that it mocks at the plights of these families, with a large number of women and children, does not seem to revolt the sense of any one in authority,................the state administration has fallen far short of even the minimum standards. .... A peep in to some of the camps showed that they are no more than organised slums."*[111]

A Doctor who has worked in the camps of displaced Kashmiris for several years and is still connected with them, gave me his medical assessment about the camp dwellers as under.

> *"The younger group of migrants between 16 to 25 years are mostly suffering from psychonenrosis and the age group between 25 to 40 years are suffering from gastric stress related disorders. The age group above 40 years to 50 years are suffering from stress diabities and health problems."*[112]

In fact, all the displaced Kashmiris, by and large, whether campers or non-campers, are under accute mentle stress and strain. As such, they suffer from hyper tension, high blood pressure and the allied ailments. In many of the cases, they suffer now from Schezophrenias.

> *"The survey also reveals that diseases like tuberculosis, kidney ailments and high blood pressure are rampant among the refugees. "A disturbingly high portion of those who died during the last five years belonged to under 35 age group". reveals the report in confirmation of the fact that poverty*

111. *Times of India, July 5, 1995.*
112. *This is on the basis of interview that the author had recently with Dr. P.M. Dhar, at Jammu.*

and an uncertain future have begun to take a heavy toll of the community".[113]

Throughout India, huge amounts are being spend on maintainace of birds and animals in the Zoos. How does it matter then for the government to spend on the displaced people who belong to languishing and diminishing community from Kashmir but are treated worse than inmates of a Zoo ? This perishing specie is also being now preserved like the birds in the Zoo, though not cared for and attended to like the occupants of the Zoo.

In absence of privacy, coupled with other factors, the rate of their birth is far less, Consequently, the population of the displaced Kashmiris is on decline.

The joblessness and uncertain future hinders the youth and other youngesters of the exiled community from going in for marriages. It also contributes ot the decrease of Kashmiri Pandit population.

It is a metter of concern, however, that while their birth rate is very less, their rate of death is very high. In most of the cases, the death is premature. Giving an assessment, a newspaper report said:

"............ One would have to think of the psychological problems this type of living is causing for the migrants.

At the Purkhoo camp .... 200 have died since the camp was set up. But the number of children born is just five. " We have no privacy, We have become moral degenerates. What values will we pass on to our children?" a migrant leader lamented when a high level team of the Central Governmment visited the camp".[114]

Tented and rented accomodation does not make any material psychological change or differnce. In general, the rented accommodation is also small in view of the exorbitant rent charged and paid. The

113. Trumpet, Delhi, September 15, 1995, has referred to a report of survey team on plight of Kashmiri Pandits in exile.

114. The Times of India , July 5,1995

psychological factor has, however, an important place in present living of the displaced community.

The rate of death of displaced Kashmiri Pandits is very high , even three times the national average which is a matter of alarm for this small community while making a special mention in the Rajya Sabha, Dr. Subramanium Swamy said:

> *"More than 3,00,000 Kashmiri Pandits had left the valley and were living now in pathetic conditions in Jammu. The death rate in the camps in Jammu were three times the national average."* [115]

It will sound incredible that the guard put by the government on security of the displaced Kashmir Hindus in the camp turned out himself to be a great source of insecurity and danger for them. Around July15,1995, Kashmir Armed Police personnel on guard duty at Mishriwalla camp, fired gun shots on the young boys of the camp who had assembled, there to protest against the burning of RSS flag in the morning. Some boys of the camp used to assemble there in the mornings and under went some physical excercises and sing some patriotic songs.

On the fateful day also they assembled there and unfurled RSS flag, which the Police guard objected and torched the flag, saying they were living in a Muslim State. In the evening the youth of the camp protested to the Police personnel against their behaviour. Losing temper; the guilty Police man fired on them gun shots, leaving 30 of them injured .... The District Magistrate and superintendent of Police reached the sopt, in the night and suspended the three guards on duty. The campers told me that the light went out instantaneously which helped the empty handed boys to run for safety under the cover of darkness. "Otherwise ," they said ,"there would have been many casualties on the spot."

> *"The Deputy Commissioner immediately ordered the suspension of three "erring" police constable responsible for torching the flag and firing on peacefully protesting migrants.*

115. Hindustan Times, February 24, 1993.

They were identified as Mohamed Yasin, Abdul Rehman and Ghulam Rasool." [116]

The firing guard allegedly threatened the displaced Hindus and said that they would not be spared even though they succeeded in running from Kashmir. So what, they would be pursued and haunted in Jammu also . He further threatened them saying Jammu had to go with the Muslim majority of Kashmir and nobody could dare touch him as he himself was a terrorist and that the authorities had begged of him to accept the police service and that the Governor had to pay him salary monthly even if he would not work. Such are the conditions under which the mass of displaced people live. Similar are the ways of the government to decide the fate of the exiled community. The removal of J.K. Armed Police from the camps was demanded by the camp people as the J&K Armed Police wad dominated by such Muslims who had links with the terrorists and Pakistan. This demand was raised by campers many a time earlier also , but the authorities failed to pay any attention to their grievance.

Different fronts exist and operate against Kashmir Pandit community and he has to brave the sitiuation on all the front. He is not alwas expected to ignore and succumb to the provocations and lie over the matters. Some times, he may respond (adversely) to the provocative actions, ulterness, policies, and measures. While he can react ruthlessly also. He cannot be regarded for all times as a tamed animal, a weak creature and a meek man knowing only to surrender and submit which in fact, he is not. And when he rises up to react to the situations, it should not embrass any body, nor should it invoke any surprise.

Suneel Kaul and Sumaish Bhan, two boys of the community, reacted to the situation which they were placed under. The two gentle boys had come to know that many Kashmir terrorists were appearing in an examination at Jammu. The examinees were reportedly flown by the government from Srinagar to Jammu and conducted to the examination centre at Ranbir Higer Secondary School. Both of them

116. *The Excelsior, July 17,1995.*

went to the examination centre with a time bomb allegedly to blow up the centre and finish the terrorists taking examinaton in 1993.

Under what circumstances the bomb exploded in the hands of Suneel Kaul, killing him immediately and injuring Sumaish Bhan, I do not know. One thing, however, appears to be clear that the Kashmiri displaced two boys sounded a note of warning that they were bold enough to fight back and retaliate the torture of and excesses their community was subjected to, and that they still restrained themselves even at the cost of playing with their lives by making a public demonstration of their valour and will. Irrespective of the conflicting versions about it, the act was indication of exhausting patience to tollerate the homelessness and other plight. This episoed was after all a strong resentment, protest to and reaction against the chain of actions and events which led the exiled community to current vortex. I do not support terrorism but I cannot condemn the bonafide reaction to the series of adverse, damaging and even fatel actions initiated and operated for quite a long time against the community, the two boys belonged to. They were handed over to the Police unknowingly by the two displaced teachers who had come there in a casual manner.

Concealing the true facts, some agencies and persons in Jammu, disseminated a wild lie that the two displaced Kashmir boys tried to kill Jammu students taking examination in a seperate hall of the school, by bomb blast which bursted prior to that and outside the hall. It created a wave of resentment among Jammu people against the members of displaced community. Without trying to know the facts, some of the displaced were even asked to vaccate Jammu. Who owns Jammu? Have Jammu people and the terrorists alone right to claim Jammu as their own and not the Kashmiri Pandits ?

The fate of Kashmir Pandits again hanged in balance in Jammu. on how many fronts, a small community has to fight bravely? Atmosphere became tense and explossive against the displaced community. It was, however, RSS which appeared on the scene and removed misgiving and misunderstanding of the Jammu people . They also paid tributes to these two boys.

The few Kashmir Pandits and some Jammuites condemned these boys and their action. They opposed glorifying them. If one had no control over the initiation or operation of terrorism in Kashmir, one is not fair to condemn the reaction there to, even counter terrorism to silence the unprovoked gun wielders. If one could not come in the open to object condemn and fight terrorism with all its consequences, the one is not again fair to oppose and condemn these boys, much less the reaction reflected and represented by them. In that view of the matter, the martyr Suneel Kaul and survivor Sumaish Bhan are the heroes of the community, no less of the country.

At the time of mass exodus from Kashmir, as many as forty passenger Buses were owned by different Hindu inidviduals alongwith Route Permits for Kashmir. They managed to bring their Buses to Jammu in the hope to get the permission to ply them in Jammu region. But the private tranporters in Jammu objected to their plying the Buses in Jammu. In this long drawn struggle to get permission to operate their Buses in Jammu, about 43 oweners made distress sale of their Buses, only 7 oweners are left behind who still continue their struggle for seeking permission to ply their Buses in Jammu.

Any displaced boy or girl working in some government department or semi government concern on temporarily basis in Jammu, is being picked up with the fork for throwing him or her out of the service. Every sort of block is created for the exiled community in every walk of life and is ignored and neglected on every front as if they members of this community the citizens of the State. The grievances of Jammu people also is genuine in its place. They have been ignored ; they have no openings and opportunities: I am not , however dealing with that in and public welfare.

There have been various beneficial schemes launched by the Central Government like Jawahar Razgar, Indira Awas Youjna, Rajiv Youjna etc. Crores of rupees are sent by the centre to the State for utilising the amounts for the advancement of these schemes and the purpose these schemes are meant for the government has never extended these schemes to the exiled community ? nor confered benefit upon a

single member of this community under these "Yojnas", . No one has been given a built hutment, nor any assistance to make him stand on his legs. What is and where is the share of distressed and displaced community why, how and upon whom these huge unaccounted amounts have been spent or are being spent, to the exclusion of the displaced people? Are the major portion of these amounts misused? The Banks also exclude the displaced from its beneficial and welfare schemes.

In Jammu, the displaced are treated as Kashmiris, having right over the Budget and finance of Kashmir. And in Kashmir , the government treats them as Migrants in Jammu, whose claims could be enforcible in Kashmir consequiently, they are made to stand no where in the State and so re figuering neither in Kashmir nor in Jammu. Their position and fate has not been determined with reference to both, territory as well as rights, facilities and opportunities.

The government must cast off its conflict and ward off the confusion created in the minds of the people and the bureaucrats. The government must also come out with an open anr.ouncement as to what are the rights and claims of the displced community. Or else, its policy of drift connivance and convenience is fraught with dangerous cnsequences. In that event no ward of grievance against this community shall lie in the mouth of the Government.

On administrative level also, the displaced community is taken very lightly and treated very shabbily. All India Kashmir Samaj, Women's wing of the displaced community, Jammu wanted to organise and stage a cultural show. "Yad-i-Kashmir", in Jammu. The president of the organisation, Suman Kaul, applied for permission to the District Magistrate, Jammu , in this regard. The Abehnav theatre Hall was booked as a rule subject to the government permission which was not forthcoming despite completion of all other formalities, unnecessary in that case, like police report and permission etc. It is shameful that this community was singled out and the permission was avoided for about one and a half months. I had then approached the D.C's office couple of times to get the permission for a changed date. In other case, the D.C. was granting permission with in a day or so .

Since the function was exclusively organised by the ladies, as such Suman Kaul and other ladies invited Madam Governor (Radha Rao) to be the Chief guest. The gracious lady tentatively agreed but told them that the final apporval would be conveyed after the concerned government agency okayed the invitation. After couple of days and to the surprise of all ladies, Suman Kaul was conveyed non apprval of the invitation on behalf of the Madam governor. I have deliberately narrated these facts without comment so that the government attitued towards the displaced community can be well judged. I fail to understand why the government is so tonchy about the displaced community. Does it reflect the over all policy of centre towards the displaced community? If so then it shatters their faith and confidence in the Centre. This trend will recoil upon national interest one day or the other and needs to be changed and reversed at the right earnest.

Justice B.A. Khan, however, consented to be the Chief Guest and the harassed women wing heaved a sigh of relief. By his speech at the conclusion of the programme, the displaced people found moral boosting. "Yaad-i-Kashmir" was an unprecedented cultural programme, the like of which has not been perhaps staged and performed so far in Jammu and Kashmir. It could be a basis for worderful cultural movement, as was conceived initially by Suman Kaul.

Discrimination perpetrated on the displaced community is evident on each and every step and in every sphere of administrative activity. In the constitution of State Services Recruitment Board for instace, the non-representetion of hierechy the exiled community in conspicious by its absence. In the administrative hierarechy of the state cultural programme of the State and the Centre, no new faces have been elevated or installed from the displaced community after its displacement. Even in the "Migrant Cell" that was constituted by the Central Government in the centre no one from the suffering exiled community was inducted on it. The former Prime Minister, Narsimha Rao had kept everything upto himself. Krishna Rao was imposed on the State as governor. A retired Information Officer of Delhi Administration, Mohan Rao was appointed press advisor to the state in Delhi. The displaced are seen no where in the laison and other channels,

nor even among the Advisors to the governor. The government has been infact , apathetic to the State and its entire people. It is not a colony of India but a fullfledged part of India. I donot know how the "Rulers" see to it.

Among the displaced persons whose houses in Kashmir continue to be covered by insurance policies, are much harassed by the Insurance companies when their insured houses are torched. In the first place, their reports are avoided and not entertained. In the second, their claims are not entertained or tactfully denied and when the claim for whatever amount, is passed but is not paid until huge amounts by way of fixed percentage is paid confidencially to the Insurance authorities. The aggrieved persons complain that from Surveyor to the officers of higher rank, all harass them and exact and extort huge amounts. Or else, the fire sufferers would hardly get any claim or payment. Surveryer Sharma of Jammu is stated to be humane and and an exception in dealing with their cases fairly and justly.

The latest trend of the Insurance Companies is reported to be the deduct of the amount of any ex-gratia relief granted by the government, from the insurance claim passed by the company. They have no right to do it and the fire sufferers have raised a voice of protest against conduct of the Insurace Companies. Everyone wants to flee the suffering displaced people mercilessly.

The State government also deals with the displaced fire sufferers callously. The ex-gratia relief is not determined properly and not paid promptly. The payment of the sactioned amount too takes long time. In general cases, the matter is put to cold storage. The aggrieved persons complain step motherly treatment and assert that the memebers of the other community in Kashmir are paid by way of exgratia relief very substantial amounts and without any delay. For paying ex-gratia relief to the individuals whose houses were damaged in Charar-E-Sharif the MOS in Prime Minister's office Bhuvnesh Chaturvedi along with other authorities hastely arrived the state capital.

"The authorities have accorded sanction of Rs. 14.40 crores for payment of relief for the assessed damaged property. Of

this, Rs. 8.65 would be debited to Prime Minister's Relief fund and Rs. 5.75 crore would be borne by the state government. So far cheques worth Rs. 6.50 crore have been distributed. It was stated that the process of this relief would be completed with in 10 days "[117]

Similar prompt action was taken in other damage cases of relief and disbursed in Kashmir. In the case of displaced community, inadequate relief is sanctioned and paid with all hesitation in small batches after years of persistent request and representations as if they were paid the doles. A large number of Hindus still await this relief, despite lapse of years. In various eases of Hindus, the ex-gratia relief has arbitrarily been refused. The number of the gutled houses and structures of the members of the exiled community, is in excess and far more of the total structures that existed in Charar-e-Sharif.

"..............government has sanctioned Rs. two lakh for fire victims of Charar-i-Sharif for each muslim house but such yard sticks were not applied to minority fire sufferers. "[118]

A large section of the local lawyers was averse to practising of their displaced fraternity members at Jammu. The underlying idiea for it have been apparantly might to the volume of work in the courts, not being sufficient to cater to the needs of an additional bulk of lawyers. The comparative smallness of jammu though the winter capital of the State, having a permanent wing of the High Court, reason High Court, could perhaps provides a reason for their apprehension. It was understandable. But the stand taken by the Bar Association jammu in this regard, was neither in good taste, nor justifiable.

Jammu might not have been able to feed about three hundred or so additional lawyers, having poured into the city suddenly. With the increase in local population by incoming of the mass of ousted people, the volume of work also increases. The displaced lawyers earnings in any case was to have affected the income of local lawyers.

117. The Excelsior, July 3, 1995

118 . Statement of Mr. P.N. Tufchi, General Secretory Kashmir Hindu Fire Sufferers Forum, Excelsior, February 29,1996.

A large number of displaced lawyers, therefore, left for Delhi and other places. Only a small number of them, as such, started or continued with their practice in Jammu.

I was shuttling between Jammu and Delhi and did not feel personelly any difficulty here. From the very begning, I was instead, offered a helping hand by some of the senior lawyers[119] which I, however, could not avail. I was not, therefore, inclined to accept as correct, the general grievance of displaced lawyers about the generel rasentment of the local Bar against them and the discrimination meted out to them deliberately as well as maltreatment (in few cases) given to them. Without reasons there cannot be any basis for maltreatment (in a few cases) given to them .

After majority of displaced lawyers had left Jammu for elsewhere outside the State, there was all the more reason for Jammu lawyers, not to feel embarassed, aggrieved or affected by these lawyers. And for the latter there was no reason to be absessed that the local lawyers do not went them to practice at Jammu or were not allowed admission into the Jammu Bar Association. But the grievance was not an exageration. The cat came out of the bag,

It was really surprising that in the meeting of Bar Association Jammu, a resolution was moved in 1994, demanding to debar the dispalced lawyers to practice at Jammu and preventing them from entering the court premises. This news had appeared in local press as well.[120]

119. Late lamented Shri Suraj Prakash Gupta apart, S/Shri Harbans Lal Bhagotra, Jaswant Kotwal, Joginder Singh and R.C. Gandhi (now Justice R..C. Gandhi) and some other senior Advocates had extended me all the sympathy and assured of their help in the profession after my displacement from Kashmir.

120. I enquried about this meeting and the resolution passed, from Mr. D.K. Khajuria, the then President of Bar Association, Jammu . As per his version, he was not present in that meeting. According to him, the resolution was brought in the meeting but not carried. There was, however no conterdiction to the news item which was issued by the Bar Association through its press release, I told him and added that the resolution was at

Consequently, the displaced Advocates did not enter and use the Bar Canteen for long. Due to overall boycott of Muslim lawyers in Kashmir to handle the government cases in the Srinagar wing of High Court, some Jammu lawyers were engaged as Government Advocates for Srinagar. They used to stay in government accomodation in Srinagar under proper security. Bar Association Srinagar did not demand to debar them from practising there, nor prevented them from appearing, acting and pleading in Courts at Srinagar. Why then this strange and hostile attitude against the displaced lawyers. It is based on regional bias? Do such elements of Jammu and also rest of India want to push them into lap of anti India elements and forces in Kashmir? Do they want them or campel them to strike compromise with Kashmir Muslim leaders and to have a seperate arrangement and adjustment even if it meant walking out of Union of India? The exiled community is not a herd of dumb and deaf cattle , nor are prepared to compromise their honour, respect and dignity !

Not a single displaced Advcate has been engaged in jammu by the government so far. None of them is issued any commission even in a single case by any court in jammu all these long years. Even those displaced Advocates whose kith and kin have been killed by the terrorists in Kashmir, never caught attention of the government authorities.

In addition thereto, the governement has not shamefully cleared and squared up so far the amounts of the unpaid bills of the displaced Advocates, which the government wings like Tourism Department, Pahalgam Project and Gulmarg Project etc. owed them on account of monthly Retainership, counsel fees for fighting their cases, travelling charges incured in connection therewith, court fees and other incidental charges. These bureaucrats follow the maxim "Make hay while the

least moved in the meeting as he also admitted, which in itself was no less, a serious and objectionable matter.
I brought this into the notice of some senior Advocates in the High Court and they felt ashamed about it. I still wonder what prompted the local lawyers of Jammu to take unprovoked, hostile and antagonistic posture and stand against a small number of homeless lawyers sheltering in Jammu.

Sun shines" The Governor with host of Advisors and Chief Secretary appear to have come to the State for excursion and enjoy a period of relaxation, so not to attend and redrerss the public grievances. This is not true about the State government only, but it applies to the government of India, its Khadi and village Industries Commission etc. They exploit the lawyers and treat their labour as "Begar" which is not paid for. The bureaucrats of these government wings are appropriating public money mercilessly without any accountability.

As against this, the displaced lawyers were warmly received in Delhi and elsewhere by the Bar and the benceh. In Delhi, from lowest subordinate courts to the highest Court, these lawyers were supported and conferred unimaginable benefits. The various Bar Associations straight way admitted and enrolled them as members without any Asmission fees etc. and helped them in many ways. The Courts accommodated them and issued them commissions on high fees. The Delhi Administration and the Central Government also helped them a lot. They engaged their professional services for various departments and undertakings. So was done by a number of Private Companies and firms who also engaged them on high renunerations. They were not treated as apartheid :

The Jammu people do not appear in favour of abrogation of Article 370 of Indian Constitution, confering special "status " on the state of Jammu and Kashmir. Some sections of Jammu could not toletate even displaced people from the Valley, a part of the same State. Therefore they are first class "State Subjects", who else can then be tolerated and allowed to settle here in case this asticle is scarapped and choose to dwell here permanently ? This seems to be one of the reasons as to why 1947 Punjab refugees settled here have not been able to get " State Subject" status so far and who pull on here devoid of citizenship rights. The deletion of article 370 is, therefore, being exploited politically in Jammu, whereas Jammu people on the whole did not want its removal as Kashmir leaders exploit its retention politically. In this situation, how can and why should then its removal of this Article be thrust on Kashmir people and why should Kashmir people agree to its deletion.

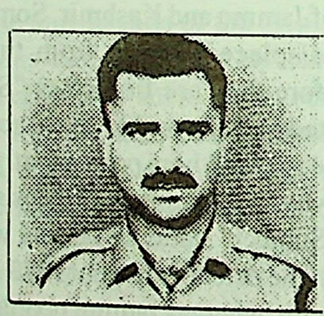
All said and done, the displaced community from Kashmir Valley has become a big note of interogation. It appears to be a tedious riddle, not unravelled. Though the real Dogras of Jammu and some other segments of the population have sympathies with the displaced people, yet the problem of displaced people and their resettlement in Kashmir is getting alarming.

□

Died / Injured for the cause



Suneel Kaul



Dr Deepak Mattu (M.D IPS) killed in a conspiracy in Srinagar.

Chapter-XIII

Bullet, Ballot And What ?

Kashmir has found itself in the whirlpool of armed terrorism and insurgency based on Islamic fundamentalism. It has hardly any scope for freedom of expression and opinion. The gun in Kashmir, suppressing the dissenting views, is a manifestation also of resentment and expression of grievances. When the ballot does not serve the ends of public and meet their aspirations, the alternative method has to be looked for and envolved. The gun, also a method, has been resorted to, by the secessionists and fundamentalists to Islamise Kashmir.

After its Accession to India in 1947, Jammu and Kashmir State has come under a popular rule with Muslim trappings. This commenced for all practical purposes, a pro Muslim rule in Kashmir whatever constitution of the "popular Ministeries" has been. What the people started annoying with, was the accute tendency of power monopoly of some persons, excluding the chances for others to come up and share the power. The budding youth and other political activists, under the curcumstances, found their political future always murky. They developed a feeling of being political outcasts. The State power would not be fought with empty hands, they thought.

A section of the people lost faith in the efficacy of ballot some times and used to boycott the polls. Other times, finding no alternative, they reconciled to the situation and exercised their right of franchise. When Sheikh Abdullah was out of power from 1953 to 1975, his Plebiscite Front boycotted the elections many a time as protest. Sheikh Abdullah and his Plebiscite Front was not, therefore, interested in

elections or in participation thereof. Their main purpose, aim and demand was to hold plebisate in Kashmir so as to determine the future status of Jammu and Kashmir. It was a period of his political escapism: A negative politics divorced from realities, he drifted with waves of challenging the Kashmir's status and Accession and glided with currents of seccession, autonomy and independence. In the long run, however he gave up his demands and preferred the ballot over any other method or alternative and came again close to the politics of national mainstream. Regardless of the Party or the leader, the boycott of the polls went alongwith and side by side with the elections in the valley of Kashmir, quite for some period in the past.

It was not electioneering that used to educate and persuade the electorate to exercise their franchise. But the leader's lust for power and their keennes to monopolise it, took the people to voting, numbers not mattered. It was, therefore, less of a political processing and activity, but more of an arbitrarily tightening the grip of successive rulers over the political apparatus of the State.

Judging in this backdrop, the politics in Kashmir had become a lopsided affair and elections, a sport of the ruling party. The more terror generated among the electorate about the elections and the more aparthy cultivated in them towards it, used to bring better outcome in the hustings for the ruling junta. It was not, therefore, the campaign, plank, policy and programme that weighed with the Ruling party. But what then mattered with all those who counted in Kashmir's political jingoism, was the poll outcome, means and methods never bothered. Their prime consideration was access to State power, and the political ethiecs, commitment or idealism was none at all. The slogans, if any, were therefore, all stunts and exploitation.

Obviously, as such, the normal political processing; fairness, adherence to democratic norms and observance of code of conduct, were not in general, the salient features of all the elections in Kashmir, regardless of regime or party in power. In the name of democracy, the democratic processing and its growth and develpment was stunted by all those who claimed to have fought in Kashmir in the days of

Autocracy for democratic rights.The monolith party rule, despite coalition governments, became a feature of Jammu & Kashmir. Whenever these public leaders came to power, they used to target the people's vital and valuable right of franchise in one way or the another.

Intoxicated with power and pelf, the leaders were concerned more with perpetuating their grip over state power than contributing to the healthy growth of democracy and democratic institutions. Fair and equitable development and economic upliftment of all segments of the society, were apparently their least concern. When out of power, these leaders used to wade to power through the communal, parochial, sectarian, religious and psychological approaches to the people. The Centre had and played far lesser role in it than the local Muslim leadership had and in fact, did play.

A considerable Kashmir population was politically segregated, consciously or unconsciously, rather than involved firmly on healthy lines, in the election processing and other political activities. When there is no room even for political activities, how can one conceive of elections and electioneering and think of democratising public life and boosting up democracy?

The formulation of governments in Kashmir, therefore, became generally a matter of routine and not so exiciting an event as it could have otherwise been. The Hindus were calculatedly made redundant in this proces and irrelevent in the whole gamut of political situation. The Central Government for different reasons and considerations, acted invariably as a silent spectator in the whole game.

The situations did arise when the intervention of the Centre was warranted to stem the political rot. Non-interference in the internal matters of the State on such occasions, was therefore, not appreciated, nor justified. People at these times blamed the Centre for conniving at the serious omissions and commissions of the State Government. The important instance in this regard is the "Sacred Relic theft case" of Hazratbal in December 27, 1963 when during the protesting demonstrations, public urged the Central Government to intervene and impose President's rule on Kashmir. This public demand was raised

from public stage at various places despite special status of the State and the issue involved having basically been Islamic. And whenever the Centre felt like interfering to stall the mischief and misdirection in politics, causing or was likely to cause politically and economically damage to the public, severe criticism was hurled on the Centre by the interested Muslim leaders. This has been their mere exploitation for their own ends. Any change over in the government, again brought in a Muslim leadership at the helm of the State affairs, serving the Muslims utmost and as usual, more than any other segment of the society. They invariably contributed to Islamisation of Kashmir than to any constructive and healthy political activity or creed based on secularism. Kashmir Muslims are not, therefore, facing any real political problem. Even then substantial section of them is suffering from a psychlogical paradox rooted in Islam. This at occasions, resulted in their political hysteria and psychological affliction, with consequent uncertainty and tension.

The Kashmiri speaking Sunni Muslims of the Valley are lesser in number than rest of the population in the whole State. But their ruling leaders allot them majority of Assembly seats. This community of about 22 lakh population in the Valley, returned 38/39 Assembly members out of 43 seats prescribed for Kashmir Valley. Rest of the four seats in the Valley were allotted. Hindus/Sikhs one, shias one and 2/3 to non-Kashmiri Sunnies, according to the Mandate given by the Ruling party. The majority community, therefore, thrives at the cost of other communities. A big chunk of non-Kashmir speaking Muslim is spread in and around the Valley of Kashmiri, but they generally go unnoticed though return one to three candidates from the bordering areas and upper ridges of the Valley.

The Shias in general, also do not receive the fair deal in different walks of life. Their sense of involvement and participation in the elections and sharing of power does not percolate to the lowest rung of the community. Their superficial activities confined mostly to the upper layer of their community through their power wielders or power seekers. The grass root level remained untouched.

Unless all the sections of the people came in grips with the situations and prevailing conditions, political, economic and social, the political processing, electioneering or elections cannot be beneficial and meaningful ; it may even prove counter productive. Former Prime Minister, P.V. Narsimha Rao's assertion that "low poll is better than no poll", does not hold good in the present abnormal situation of Kashmir. To announce and hold Assembly elections in near future in Kashmir is, therefore, adoption of democratic process, bereft of democratic spirit. Let the Central Government and the Election Commission of India choose both of them or either of the two. Holding of assembly election in Kashmir at this juncture and that too without physicalpresence of displaced community in Kashmir, will amount to choosing the conduction of elections without the spirit of democracy. Many members of the dislodged community may have been for other places than in the State on the basis of actual physical presence and residence in those places. They may have even exercised their vote in Parliamentary elections. These members of the exiled community automatically loose the right of vote in Kashmir. Would it not be than clear violation of the right of dislodged community to hold the Kashmir elections under these circumstances? For this one more excess to this community, the Government, State and central, as well as Election Commission will be responsible.

Domination of a single community or a class at the cost of heartless participation of other communities, classes or groups, has its own grim consequences to flow. At the same time a serious notice, therefore, has to be taken and deep consideration imparted to the plight of over 3 lakh uprooted Hindus, hounded out from their homes and hearths. The past, present and future of the displaced community is involved intimately with the current situation and with the preservation of their past cultural heritage, and to their present state of turmoil and strife. And devising of ways and means, for their secured future and status and stability and settlement, need immediate attention of the authorities and powers that be. To put it plainly, the exiled community is entitled to go back to their homeland with full powers, statutory and otherwise, to live in Kashmir freely as honourable citizens and not as

subservient people or subjugated serfs. They have full rights and should be able to enjoy these rights to root in firmly again, nourish, groom and branch out like a tree embedded deeply in the soil. It is not a question of any body's giving concessior or showing courtesy but it is a matt‿r of their intrinsic, inalienable and assertive right to have it.

There can not be any back out, retreat or compromise on assertion and achievement of these rights. For any denial thereof, this must be treated as revolt against that quarter. These are as urgent issues as they are vital and bypassing or defering them will be disastrous for the country. This colossal human tragedy and problem is, as such, far more vital and important than holding of the mere elections in Kashmir. It will be nothing more than shifting of Centre's responsibility to those people who have been instrumental in or responsible for throwing them on the roadside. What justice can they dispense them? The government of India wants to cover up its failure in Kashmir and to dilute the struggle of life and death of the dislodged community. Are not they going to give Kashmir Hindus and other seenlarists into the care of those who have uncared for them already ?

After this ethno religious cleansing of Kashmir Hindus in the Valley, a new Kashmir situation has emerged. The new situation, far and breath taking, than the previous ones, really entire a baffling situation and a bedevilling puzzle. The total nature and context of Kashimr situation and its socio, cultural and political fabric has changed totally. The complaint made by the Government of India to U.N.O in 1947, for seeking vacation of the unwarranted aggression made by Pakistan on Kashmir and the consequent resolutions passed by the United Nations have all now paled into insignificance.

A material, substantial, prejucicial, damaging and dangerous change has now occured in the situation. Pakistan has, in active co-operation with a section of the local population, brought about havoc in Kashmir. They have committed near complete ethno religious annihilation of Kashmiri Pandit Community in Kashmir. This has become the live problem today before the world community which needs to be taken serious notice. In the new and changed circumstances,

there is no problem of Kashmiris or Kashmiri Muslims, as such, but that of the Kashmiri Hindus/Sikhs who are currently hibernating in exile.

Displaced Hindu/Sikhs constitute the acute problem now which stands as a"Note of Interrogation?" It calls for just, fair and purposeful solution. Certainly, its remedy is not subsesvient to the elections, nor the polls are panacea for their agonies, ailments and genocide. Assembly election may help New Delhi for its own ends and the Governor it has sent to rule them, but not the victimized Hindu community. It also may help the Kashmir Muslims to enjoy the gains consolidated by them since 1947, but it is not going to give any solace to the groaning, exiled community of Kashmiri Hindus. They have always been loser and at the receiving end. How long this small but genious community can be expected to brave the situation and face the persecutions on all fronts singly, God alone knows ?

The dislodged Kashmiri Hindu community of Kashmir is, therefore, the main complainant and the only hard hit and aggrieved party to the Kashmir situation today and before the World Body. It craves for justice, not for mercy; it wants a word of sypmthay and a deed of the friendliness out of it compunction, not an indulgence. Due to emergence of new factors, the erstwhile Kashmir case stands superseded and burried dead in the U.N. As against this, the World Body must take cognizance of the present known complaint, grievance and plight of the displaced Kashmiri Pandit community. The relevent portions of my relevent books on the current period of Kashmir, can be treated as part of the complaint / grievance of the dislodged and exiled community of Kashmr.

In the light of new developments, the U.N.must examine the position and plight as also the status of the displaced members of Kashmir Hindu community, keeping in view their past, present and future as alluded to hereinabove. On its failure to take immediate cognizance of their case in providing them necessary and adequate reliefs the U.N.O. shall otherwise add to its list of failures. It may also reflect adversely on its purpose and performance.

In the matter of elections, the government is seemingly working on the analogy of Punjab, which is not workable in Kashmir. There are more dissimilarities between the two States than similarities so far as the terrorism and holding of elections are concerned. It is therefore, fallacious to compare Punjab with Kashmir. It also is insulting to the patriotism of general Sikhs. True it is the Muslim terrorism, fundamentalim, insurgency and seperatism that prevented election in Kashmir. The situation in Kashmir differs materially from that of Punjab. On dealing with the terrorists sternly or killing them in encounters or otherwise, no frequent Hartals as in Kashmir, were observed in Punjab. Like Kashmir, no civil curfews were imposed by the terrorists, nor any such curfew has been observed by the public in Punjab. The general public in Punjab had no sympathy with the terrorists and the seperatists which also is not true about Kashmir. The whole people in Punjab are by and large committed Indians from their core of heart which also is not case in the Valley. Civil administration in Kashmir followed the instructions and directions of the terrorists and not of the government. This was not position in Punjab. All the employees in Kashmir defied government orders and boycotted the elections.

" The preparatory moves of the government for holding elections in troubled State of J&K received a severe blow yesterday, when some 10,000 State employees unanimously decided not to work for the revision of State electoral rolls of all the Parliamentary and Assembly constituencies as has been ordered by the Election Commission.

All J&K Revenue Officers Associations, All J&K Patwaris Association and All J&K Revenue Employee Association in a joint meeting yesterday afternoon decided that they would reject the Government order and not involve themsalves in the revision of electoral rolls for the proposed elections.............

..........The employees of Education Department have also said no to the Government over the summary revision."[121]

This portion was not prevailing in Punjab. The employees in Kashmir neither accepted election duties, nor co-operated with the government or Election Commission of India. They did not produce even the record requisitioned. This horrible and grim situation was never experinced in Punjab.

The individual participants of a meeting related to proposed election, though under government compulsion, had to suffer reprisals at the hands of the terrorists.

"The militants today sealed the shops of a leading local businessman, Ghulam Jeelani Kitab, reportedly for attending a meeting called by Governor K.V. Krishna Rao at Raj Bhawan last week to discuss the proposed elections with State.

Mr. Kitab.......has gone into hidnig fearing an attempt on him after he was shown participating at the meeting on television.

In a statement, carried by a local newspaper today, Mr. Kitab alleged that he had been "duped" by officials who had taken him to Raj Bhawan on a different pretext.

.......The traders Federation too has expelled him from its working for his "misadventure".[122]

Such expulsions in Punjab have not been experienced.

The mass displacement of Hindus (alongwith many sikhs) took place in Kashmir. No such thing happened in Punjab to this extent, nor is there any conflicting and fundamental difference between Hindus & Sikhs in Punjab as is sought to be exploited in Kashmir between Hindus and Muslims. Only terrorism was the common feature between the two neighbouring States in the country. The inference drawn from the two dis-similar situations may also be dis-similar and decision so taken can

121. *The Excelsior, October 3, 1994.*
122. *The Times of India, March 15, 1995.*

also be defective. It can therefore, lead to wrong deduction and conclusion. There is, as such, a world of difference between the ground realties of these two States. The remedial measures may, therefore, not one and the same and solution of the situation in both the States be not the same.

Fear of gun still exists in the Valley of Kashmir and also in the district of Doda of Jammu region. The bullet and the ballot cannot go together, Unless the gun culture is totally eradicated in Kashmir, holding of further elections are without logic and purpose except that of further crushing Kashmir Hindus and other pro-India elements which ultimately will result in India axing itself and by itself.

Terrorism in Punjab did not alienate the Sikhs in general and the Sikh government employees in particular. The administraion in Punjab was neither pro terrorist nor the employees had any active sympathy with them barring to a very limited extent in certain cases. The similar is not case with Kashmir where the terrorists commanded both, sympathy from and obedience of the Muslim officials/officers in general. "As the extent of alienation in Kashmir was much greater, the popular support for the militants was much wider."[123] The terrorists had apparently a universal apperal in Kashmir in the name of Islam which created both, fear of gun to and sympathy for gun in the populace of Kashmir. The terrorists in Punjab had no universal appeal in the name of religion for over whelming majority of the population is there differently composed and politically variedly disposed.

Touching of any employee on the alleged complicity with the terrorists would result in lightening strike of all Kashmir Muslim employees, collapsing totally the otherwise defunct and corrupt civil adminstration. The paid strike would continue till the government acceded to their demands in full including of withdrawing the adverse orders passed. The pro-terrorist Muslim employees forced government, Central and State, to knee down each time shamefully, and to conceede the terms and conditions put forth by them. It all the more adds to the political uncertainty and administrative instability.

123. Mr. S.S. Gill in Hindustan Times, May 10, 1993.

As many as 136 top and responsible government officers in the state including I.A.S. officers subscribed to an open complaint/ representation made by them against the security forces and the Centre. This complaint was forwarded by them to the World Body, in defiance in all administrative and civil service rules, norms and discipline. The goverment dared not to touch them, It was an open revolt against the government of India, including the State government a few Hindu Officers also were signatory to this complaint. The complaint urged the addressees to interface in the matter. No probe was ever held in this seditious act, nor any action taken and punishment awarded to these officers.

One of the signatories to this complaint, Sheikh Ghulam Rasool was later rewarded for it and elevated to the post of Chief Secretary with tributes paid to him by Governor Saxena. Quite some time after he was shifted from this office on the alleged confidential report that he had close links contacts with the terrorists as also with the authorities across the borders. Have all such mockeries occured in Punjab also? All this, if done willingly, is disgraceful and if done unwillingly, under any pressure even of circumstances , is regretful. Such type of pressure in Kashmir, if it was so, has been missing in Punjab, much less given effect to. The writ of terrorists run in Kashmir and not of the government which was not so in Punjab.

The members of the dislodged and exiled community, have already been agonised and continue to be throttled up by the Centre through this callous, and insensitive administraion headed by an apathetic Governor thrust on the people of the State.

Whenever the governemcnt started preparaions for holding elections, the Muslim employees of Kashmir showed total non co-operation to the government and the Election Commission. There is no discipline in the government ranks nor the limping civil administration functions even to the minimum expectations. It is only alive and effective when the money of Indian tax payer and that of the State Exchequer is to be depleted under different heads and in the name of different works. The money due to others, not greasing their palms stands witheld and

unpaid. And then, the white Jeeps of U.N. moving in Kashmir are not visible in Punjab, though the posting and existence of U.N. observers team in Kashmir, has always been opposed by the dislodged and exiled community. Do the Centre now impliedly suggest or under the stress of circumstances, compel the same very patriotic community to take their refuge for its survival and reclaiming its homeland back from the same U.N.? What similarities are then struck by the Centre to draw conclusions and framed and applied the formulla to Kashmir on Punjab way in recent elections to Parliament ?

The first ever election after seven years of terrorism, was held in Kashmir on May 23 and 30, 1996. The non co-operation and boycott of local Muslim employees in the latest poll to national Parliament has been its glaring feature. For the election of total three Parliamentary constituencies, Anantnag, Baramulla and Srinagar, many thousand additional Security Forces were deputed to Kashmir Valley. About 12 thousand of Urdu knowing staff, mostly Muslims and also a big team of doctros (for treating the likely victims of violence) from rest of the country, brought to Kashmir as substitute for the boycotting local government local staff.

Does it still leave any scope for doubt about the grave situation still prevailing in Kashmir as against the situation that existed in Punjab at the eve of the elections ? What is beneath. The surface in Kashmir, was not existing in Punjab. The groumd realities differ as between the two neighbouring States. The power wielders and seekers in New Delhi, may well suppress and withold realities from the public, in lust of power but the facts will speak and expose all concerned before the nation.

For the first time in the history of Kashmir, the Parliamentry election was held when the dislodged and exiled Hindu community was physically absent from Kashmir. This will not improve the situation, nor will solve the colossal problem of exiled community. The community was, no doubt, allowed to vote by postal ballot, after amendment in Pepple's Respresentation Act was made by a Presidential Ordinance. It all the more signifies that the problem is now that of the dislodged Hindus and not of Kashmir Muslims. The issue of elections

pale into insignificance unless their problem is solved in accordance with their wishes. A new and important factor has therefore emerged in the Kashmir situation for the first time, which has given it a new dimension and needs a new direction too. The oft repeated and beaten track of so called Kashmir problem has become obsolete and the real problem now emerged is that of the dislodged and exiled community. The government Central and State, are underestimating the gravity of problem and the offshoot it will have. Holding of elections, therefore, are not going to help settle the conflicting matters. It will harden the postures amd complicate the matters. The decision taken about Parliamentary elections in Kashmir was as such, devoid of logic and statesmanship. It was seemingly taken by the Congress Government in the hope to get some benefit out it of in the hustings. It was neither in the national interest nor in the interest of exiled community. The interest of this community are in consonance with the national interests unless, of course, it is compelled and made to drift away, process for which has unfortunately set in. It is a question of correct perception in right perespective Congress governement sacrificed country's interests for those of the party and thus gave this sugar coated pill to the nation by terming the polls as success of the Congress government in solving the grim situation of Kashmir.

It should have been, therefore, deemed to sway the public opinion in the country in favour of collapsing Congress government.

By holding the elections without their presence in the Valley the members of the exiled community have totally been isolated from Kashmir and politically humiliated. They are let down and betrayed by the Centre. The scope for going of the dislodged members back to the Valley, has further been narrowed. Even if normallcy is returned to Kashmir and peace restored, it is not so easy for the displaced under the circumstances created, to go back and resettle there after absence of such a long period. The government also does not apcear to be keen on their return to the Valley. The government had two options available : First, to hold the elections after the exiled community had returned to Kashmir honourably and resettled there safely. It obviously means after accepting their demands : Second, to hold the election in Kashmir

without return of the displaced people, as done currently. The choice of exercise of the option, indicated and determined the priority of the Government in its scheme of things. The priority of teh Central Government followed by the Election Commission, gave preference to the elections over survival of the dislodged Hindu Community instead of defering the same till their return with legally secured future and guarenteed position and status was planned and effected.

In other words, the exiled Hindu community of Kashmir has been discarded and relegated to background and the rigour of their grievenees, miseries and agonies diluted. In the wake of elections, the government of India and the Election Commission, have tacitly recogniged the exodus and banishment of Kashmir Hindu Community, by allowing them to cast their vote in wholesale, by postal ballot. But at the same time, it is recognition too, of the annihilation, disintegration and dispersal of Kashmiri Pandit community. They both have acquiesed to the state of their current ruination and dispersal and have put an official seal on it by holding the elections in Kashmir without their physical presence and residence in Kashmir. And this seal has sealed its fate in Kashmir as a potential and viable community. Its fate will further be sealed, as and when Assembly elections in Kashmir are held. the Election Commission of India has earned appreciation for conducting elections in an ordered manner, in face of many adds. But this also goes on record that Kashmir elections were held without physical presence of the dislodged and displaced people there. Asking the entire exiled commuity to vote by ballot is as much unfair as it is political disparagement of the aggrieved community. It is regretted that the Election Commission also became a party to it.

RSS General Secretary, H.V. Seshadri had rightly said that no election in Kashmir be held till the migrants returned their homes. Similar were view of BJP as well. The U. N. reported about his interview :

> *"H.V. Seshadri today opposed the Centre's move to hold Assembly election in Jammu and Kashmir without rehabilitating the Kashmiri Pandits who had been displaced from their homes.... Mr. Seshadri asserted that there should*

> *not be any talk of election in the State until the Kashmiri migrants returned to their homes."124*

It is this community only which can serve as a bridge between Kashmir and rest of the country and cement mutual bonds which none else may do. But this aggrieved community is being given a political death, which amounts to an admission of Centres surrender in Kashmir. This tale is being brought to an end finally by holding the proposed Assembly Election in near future in Kashmir. Centre seems to be content with holding Kashmir without Hindus and appears satisfied at the prospect of visits of "Honey moon Couples," and same domestic visitors to this Valley in future. This type of link is not going to last very long. Let it be taken as a note of caution, if not warning, by the Centre. After settling the matters with the exiled community, the elections may be held at an opportune time. It will be purposeful only if the regional and ethenic aspirations have heen fatithfully satisfied first and the scheme of solutions implemented. Holding of elections in Kashmir will otherwise mean suppression of exiled community. That will result in losing of Kashmir some time in future.

It is also a tragedy of Kashmir that half hearted, peacemetal and stop gap measures are always taken to meet the extra ordinary situation there. The result is recurrence of pain and disease and the fresh sufferance of the suffering community with further stint of trauma. The elections held in Kashmir at this stage caused a premature death of political polarisation and emergence of new elements and forces. It required more time to have a concrete and clear picture. This was a basis for me to oppose the election move for Kashmir earlier as well. My statement issured in Delhi in this regard in October,1995. inter-alia read ;

> *" This move would prove unproductive and is bound to give a tremondous set back to the growth and formation of new forces and their proper political alignment. The political picture of Kashmir is yet hazy which hardly justifies*

124. *UNI reported this interview with Mr. Seshadari taken at Gawhati, which was published in the press on March 1, 1995.*

precedence to the elections over the political processing.

Unless militancy and terrorism are eleminated, the hoourable return of the mass of displaced people is feasible and possible and the above political polarisation is not visible, the holding of election would not serve any purpose."[125]

I had further cautioned that election would cause premature death of these emerging forces. My statement further read :

"The elections at this stage may, therefore, hamper the growth of these elements and mark premature death of this whole process.

It calls for a sagacious approach and self restraint in utterances and actions. The needles of the time cannot and should not move back. Jammu and Kashmir state be not relegatd to 1952 position................/what us required now is to help growth of the dynamic elements in the pro-Accession camp so that the people are involved through them in the political processing."[126]

It is appreciatable that the former seperatist, militant and Awami League Supremo, Jamsheed Sheerozi alias Kuka Parray, realised that Kashmir was incomplete without dislodged Kashmiri Pandits. During the course of Parlimentary election speech delivered by him recently at Nagrota Camp, Jammu, Kuka Parray appealed the pandits to return to the valley on his responsibility and live there freely and honourably. But this alone is not sufficient nor has the political alignments in Kashmir been completed yet, as I had foreseen. Ghulam Nabi Azad is also a developing factor in the situation. The coming up of new pro India forces are still to assert and consolidate. The new formation needed some more time to crystalise. The Parliamentary election at this stage, has certainly given a set back to that as well. The emergence and growth of other new secular elements and forces have been seattled. The presence of renegade militants, Kuka Parray, G.N. Azad, Cheete and

125. The Samachar Post, Delhi, October 30, 1995.
126. Ibid

others (now committed pro-India) cannot be overlooked and ignored. How will they adjust with the existing pro-India forces, with one party or groups or parties has to be seen and watched ? Ignoring of 1987 Kashmir election, giving or cause for terrorism and revolt against the parties in power then, will be a great political folly. It needs a direction and role of the Centre in it which is both, very crucial and vital.

The terrorism in Kashmir has created a leadership vaccum in the Valley. Political vaccum found in Kashmir today, has to be filled up by a securlar party and the leadership based secular credentials. A thorough tug of war in this regard could have been on a new and secular leadership with the support and co-operation of renegade miltants for the state. However, that alone cannot stand a guarantee for return of the displaced mass of people and their safe living in Kashmir as also their future security there.

I am not against the elections which are indispensable part and process of institution of Democracy. When the democracy itself has been imperilled and rendered unworkable, the elections lose its import, meaning and sanctity. Opportune timing for holding the election is, therefore, essential part of this process. It is height of injustice to have vested absolute power for such a long to the Constitutional Head, ignoring the public figures and political leaders altogether, plugging all outlets and channels of public Grievances and complaints. Governor must therefore, accept the formation of Public Grievances Committee with special powers in civil administration for redressal of the public grievances and complaints. This committee will be a temporary substitute for elections and should function till the approptiate and conducive time for holding the elections is determined or else, the inaccessible Governor and his host of merry making Advisors, who proved unsuited to the local temperament, must now to be too unfair to rule the State and its people any further.

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Chapter-XIV

Can The Dislodged People Go Back?

Can the dislodged people return to the Valley after normalcy prevails there? Before this question is answerd, it has to be seen cursorly whether circumstances existed and subsisted in Kashmir which ultimately had caused their mass exodus from the Valley of Kashmir? If those circumstances are totally missing now the prospects of recurrence and re-emergence of the same are absolutely ruled out, return of the dislodged to Kashmir, subject to other things, is a possibility. They are not, however, prepared otherwise also to give up their claim over Kashmir under any circumstances. They are prepared to fight for their rights and claims to any extent and for any length of time. In that event, what turn the situations will take, nothing can be said at the moment. But I see an unhappy, unpleasant and bitter fight, which needs to be forestalled in right earnest.

There is no manner of doubt that the conditions of Hindus in Kashmir, were not satisfactory, their future was becoming doubtful in Kashmr. No body had, however, eyes to see it, nor any body had ears to hear it. Those who tried to give a feel of this situation or predicted it hesitatingly, they were regraded as biased and their narrations as baseless and apprehensions unfounded. It was, however, the ingenuity of Kashmir Hindus, that they sagaciously acted, laid low at times, but adjusted cleverly and adapted to the situation to permissible limits and managed to survive and pull on.

Not to speak of some earlier involuntary migrations since the reign of Sultan Sikandar Butshikan, even after partition of India in 1947, there have been Hindu/Sikh exodus as also at various other times thereafter in the Valley. In the wake of Pakistan invasions of Kashmir in 1947, 1965, and 1971, there have been displacement of the members of these communities in some parts of the Valley. Even in 1986, there was an exodus of some Hindus from South Kashmir. It was not due to incursion of Pakistan but owing to the violent attacks made on some Hindus, their properties and their shrines and temples by a number of local Muslim fundamentalists and miscreants belonging to various shades of political opinion. They belonged to Congress Party and National Conference as well. The Director General of Police M.M. Khajuria himself camped at Anantnag for quite some time to stop this anti Hindu upsurge and fundamentalist tirade against Hindus and Hindu culture, their temples and shrines.

The hand of then Congress leader and Central Tourism Minister, Mufti Mohd. Saiyyed was also alleged to be in those anti Hindu disturbances. This happened during the first term of Jag Mohan's Governorship. This type of Muslim mass tirade against Hindus and large scale demolition of and damage to Hindu temples, shrines and idols, took place for the first time after Accession of Jammu and Kashmir to India.

It is said that the Congress Central High Command and its government was highly perturbed over such sinister and anti national activities of its Cabinet Minister from the sensitive Valley. They, therefore, decided and desired Mufti Saiyyed to resign from the Central Ministry. Finding no escape from the Prime Minister Rajiv Gandhi's decision to drop him from the Cabinet, Mufti Saiyyed raised an issue of Meerut Muslims and resigned on that account and not on Kashmir issue. He then joined another Congress splinter group headed by V.P. Singh, which later formed part of Janata Dal. The process of further damage to Kashmir Hindus started. Events of February 1986, served a clear warning to Kashmir Hindus that neither they nor their religion and culture could remain safe in Kashmir. This situation heralded danger to them. The English maxim "Coming events cast their shadows before"

was aptly applicable to the case of exiled community. A victim of 1986 communal riots; Kashi Nath Raina, some time past now residing at Yuval Camp near Dharmsala (H.P.) said that his house at Nawgam, Kothar area of Kashmir was blasted by a bomb. He made a complaint to the then Governor which he forwarded to the Police. The Governor himself also made spot inspection and had assured Raina about payment of due compensation which was not paid to him by the government so far. As he could not get any justice so he had left Kashmir to settle outside. Other persons are also there who left dejected for want of justice fair treatment.

A jounalist, author (also quoting another journalist of repute) portrays the position of Kashmiri Hindus in a write up in January 1994, as under :

"The social fabric was fissured, perhaps beyond redemption in 1990, although the Kashmiri Pandits have suffered in silence since 1948. They have been continuously on the run. In a report from Kashmir way back in 1986, H.K.Dua said

"The minority community of Kashmiri Pandits has suffered discrimination under successive regimes in the Valley but the Anantnag communal riots have left them in a state of shock......while the Centre's Kashmir policy is apparently in the melting pot, the travails of Kashmiri Pandits have emerged as the immediate issue.

"Their population has dwindled because of the continuing migration to other parts of the country. They leave the Valley because of discrimination in recruitment for jobs, admissions in educational institutions and economic deprivation. The recent violence has shattered their confidence. They are feeling bitter, frustrated and bewildered.

Now for three years, harassed and haunted by the Pak-trained terrorists, the Pandits have been forced to abandon their homes and hearths, leaving all movable and immovable property and educational careers behind and taking refuge

at Jammu, Delhi and other places. An ominous blow was struck on April 14, 1990 when terrorists issued a warning that the Pandits should leave the Valley within 48 hours. If they dared to return, the punishment would be death.

And death it has been ever since. The whole community is on the hit list. The Kashmiri Pandit, steeped in secular traditions, could not imagine the havoc waiting for him on account of the onslaught of Islamic fundamentalism."[127]

The process of fast deterioration of conditions in Kashmir had started long back and the extinction of Kashmiri Hindus in Kashmir was not forestalled by any authority or leader, may he be Chief Minister, Sheikh Mohamed Abdullah and his successors or Governor Jag Mohan and his successors in office. The former were not willing to stop it as they were themselves consenting parties to it and the latter coud not do it as the situation was getting beyond his control.

Kashmir Hindus had been living in the gas chambers in Kashmir and yet no one ever bothered about them. A thinker of the community, wrote about the torture of Kashmir Hindus in December, 1989 :

"But the Kashmiri Pandit-the crown jewel of India-continue to live in agony and ignominy. Since 1947 each successive regime gives a pause to their torture for a year or more and then the same process continues with more bluntness and barbarianism. After February '86 under the command of Mufti Saiyyed, they raised to ground 30 temples and three villages of Hindus.......... not a single real culprit of February 86 riots was touched with the result that this lawless element was encourgaed."[128]

Many other episodes occured in South Kashmir prior and after the above catastrophe which clearly indicated government failure,

127. *Mr. Anil Maheshwari in Hindustan Times, January 9, 1994.*
128. *Excerpt from an article of Mr. P.N. Bhat, reproduced in the Martand, March 24, 1995. It is said that on induction of Mufti Saiyyed as Home Minister of India in the Janata Dal government in 1989, Mr. Bhat wrote*

intentional or otherwise, to ptotect the Hindu minority and their culture in Kashmir. Consumption of liquor is not, for instance, permissible under Islam As such all the liquor shops owned and runs by Hindus in Anantnag, were raided, looted, damaged and closed down by the Islamic fundamentalists before open terrorism came to surface in Kashmir. The owners included Lamboodhar Nath Kaul and sons, Bhushan Lal Kaul and Shambhu Nath of Hind Homes, Janki Nath as well as National General Store. Kashmir being a tourist place, liquor was on sale there. It was consumed by terrorists also. Every drastic action was taken by the fundamentalists in the name of Islam and for Islam. This type of attitude, approah and activites showed anti Hindu and anti India sentiment latent among fundamentalists, which found expression in such like activities. The result was that all the liquor shops in the Valley of Kashmir, mostly owned and run by Hindus, had to be shut down and closed.

What the law has not banned in Kashmir, Muslim sabataurs banned that in the Valley, much before the current terrorism had surfaced. Hindu employees posted in Anantnag harassed as they were,

a protest letter to Prime Minister, Mr. V.P. Singh for Mufti's inclusion in the cabinet on the alleged ground of his direct involvement in the 1986 riots. It is further alleged that the letter was intercepted, and its contents became known which allegedly caused his assessination by the terrorists on December 27, 1989. It was particularly shocking for the author who argued a case before the District Judge, Anantnag on the same very day against the Party for whom Mr. Bhat advanced his opposite agreements. Mr. Bhat had got attached the Pahalgam Treasury alongwith its all other property there. Representing the Pahalgam Project Organisation (Tresury including), the author was taken to Anantnag District Court from Srinagar to get the property released, which I did on the same day, though the government has not paid me anything on this account or for many other bills till today. After respective arguments by both the Counsel the learned Judge fixed 4,O' clock for announcement of the judgement. By the time, the judgement was announced, Mr. Bhat had left the Court, being a ritual day (Khichari Amawas) for the Kashmiri Pandits. On reaching back Srinagar I heard immediately the shocking news of Mr. Bhat's assessination.

had to go in for one day's mass casual leave to protest against the insecurity of their life, property and honour. Finding no improvement in the situation and no safety and secutity to the Hindus all over the Kashmir Valley, the Hindu employees and workmen finally proceeded on one day's mass casual leave and abstained from their offices as protest in whole Kashmir. But these protests did not evoke any response from the government and the condition of Hindus was on decline. The Governor and the Central Government did not move nor apparently chose to do anything to set the matters right. However, the ailment had set in long back and had assumed the dangerous condition. It was not, therefore, so easy to root out the disease without applying and administering strong doses of treatment. The Indian bureaucrats posted in Kashmir in whatever capacity, never resented and protested over the things taking such a bad shape. They looked to their personal interests and enjoyment more than to protest publically and expose the developments openly in the interests of the country.

The surprise is that the Muslim leaders of Kashmir gave different and inconsistent versions to the Hindu exodus in order to cover up the excesses done to the dislodged people :

Firstly, they say that the Hindus left the Valley of their own; Secondly, they say that it was the Governor Jag Mohan who drew them out on the allurement of paying them relief and allotting residential land outside; Thirdly, they say Governor Jag Mohan sought their ouster from the Valley of Kashmir, for, he had proposed to bombard the Valley and kill Muslims indiscriminately so that Kashmir was purged of them once for all.

How unreasonably and illogically all those acted who wanted to cancel the real facts and their guilt? Such were the rumours floated by the interested quarters.

True, the exodus of Hindus from the Valley, speaks volumes about government's failure to protect and safeguard the Hindus in Kashmir. But that does not mean that the conditions for Hindus were congenial and that they could have stayed there. No, that was not the position and the Government of India was no less accountable for their

miseries and plight, they were placed in. The terrorists ousted them from Kashmir at the point of gun and threatenings.

The total collapse of the civil administration coupled with failure of the Governor, was additional factor responsible to basis and the roots of the Kashmiri Pandits from their holly land of birth and origin. It rendered them total rootless, losing their sweet home and the land of their ancesstory and progeny. Because of Government's failure to rise equal to the occasion and to devise planning and strategies commensurate with the challenge of terrorism and abnormacly of the situation, the exodus of Hindus had to take place. There was therefore, no attempt on the part of the Government to assure the Hindus of safety and protection in the Valley, nor their stay in the Valley, under the circumstances, was advisible. The Union Home Minister Mufti Mohammad Saiyyed was however, reportedly inclined to prefer exodus of Hindus from the Valley. It was a dangerous role that he played. Intentions, howsoever, sincere and clean on his part could not be deemed so when the image of Kashmiri Pandit's was sought to be tarnished and they had become sore in the eyes of Muslim leadership. Janata Dal regime with erstwhile Congress leaders at the helm of its affairs, wouned up Indian front in Kashmir, for their political inexperience about Kashmir and incapacity to deal with its affairs effectively. It is another tragedy in Indian politics that the rejected or ousted men from the Congress come again at the helm of affairs in the name of opposition, befooling the people and opposition gets discredited before the masses. I am not personally in favour of this trend and tendency.

The non-Kashmiri power wielders have had no perception of the ground realities and political subtleties, strategis and formulations. They mostly depended upon Kashmiri Home Minister, who had his own shortcomings, bias and limitations! limitations of perceiving and grasping prejudices against Kashmiri Hindus (to which he himself also had fallen prey), pulls for pro Muslim stance which in any case proved anti-India in effect. Mufti Saiyyed, therefore, fell in the common track of pro Muslim politics and the anti India lobby started entertaining and develpoing similarity of views. He knew the mind of Kashmiri Muslims, who consecutively rejected him for years to return from any Assembly

Constituency in Kashmir Valley as State Congress President despite use of Congress power and purse. It were the Kashmir Hindus in Kashmir who were mostly voting for him, as the Hindus were generally a vote bank of Congress, regardless of their number. It was again Hindus of Jammu who voted overwhelmingly and returned him from non Muslim Constituency of Ranbirsingpora in Jammu.

Muftis willingness for exodus of Hindus from Kashmir was to appease Kashmir Muslims. No body wants to give up his abode and that too enmasse, unless he or she is compelled and forced to leave. Those who attribute voluntary element to KPS ouster, let they also desert Kashmir for better benefits and relief. That apart, it may be asked as to why a good number of Kashmir Muslims also migrated and lived outside the Valley in exile? Does it not refute the theory of voluntary departure of Hindus advanced by the Muslims ? The Kashmir Hindus had two infirmities. Firstly, they were Hindus, Secondly, they were Indians, by and large. The fault of exiled Muslims was that they were politically connected with India. Their muslim religion and culture is, however, safe but they are not safe. In the case of Kashmir Hindus both the things are not safe : neither their person nor their culture and religion. This is the marked difference between the two. If the Muslims of Kashmir as a whole would have found themselves harassed, insecured, tortured or enslaved and deemed Pakistan better for them to escape all this and live there, then lakhs of Muslims would have shifted to Pakistan, which they have not done nor felt necessity thereof. All the anti India and anti Hindu forces, however, contributed in one way or the other in ousting Hindus from Kashmir. Regretfully not a single Muslim Party, group or leader appealed Hindus not to leave Kashmir, as they were undesirable in their view and many relished ther killings and exodus.

The achievement of planned exit of Kashmiri Pandits from the Kashmir Valley, has been a great victory of Kashmir fundamentalist Muslims and the great set back to the Indian diplomacy. Kashmir is, thus in the making of another Islamic State in the subcontinent, though within the Union of India. Its fall out will ultimately be disfavourable to Muslims.

Kashmiri Muslims have been free and enjoy more freedom than even Muslims in Pakistan do. If at all they could have any grievance, that pertained to tendency of power monopoly cultivated by the family of Sheikh Abdullah who are keen to keep at bay the other Muslim contenders for power. The genesis of trouble is that power friction also which has been taking different shapes and forms at different times. The Kashmir Hindu is not in power race at all, but has still be grinded always between the two stones of water mill for either being Indian or Hindu, depending upon the nature of the politics played by the contending political adversaries. As such, even if normalcy returns to the Valley, there can be no guarantee for safety of life, honour and property of Hindus in Kashmir. They are to be targetted by any one of them and at any time chosen by them. The current terrorism has all the more aggravated situaton for them and also exposed week policy of India. The future of Hindus in Kashmir will, therfore, depend upon the policy of India, which is more vacillating than firm, so more dangerous news for exiled community. Refering to Kashmir, a national weekly of India, says that India needs today strong rulers. Under the heading "To save Kashmir, India needs Kshatriya rulers,"[129] The said Paper wrote at the conclusion:

> *"What India needs today is strong politicians, true Kshatriya, whose only ideal will be to serve mother India to help in her spritual renaissance, to obey her soul and guide her through the pits of 21st century evolution, even in the face of international criticism as the death toll in Kashmir keeps rising."*[129]

If Kashmiri Panditts in exile, can come over their deep immotional attachment with Kashmir then they also be deemed to have been freed from the haunting Kashmiri fundamentalists and secessionists and the atmosphere created by them. They can find more vistas of opportunities to make progress leaps and bounds outside

129. *French observe and columnist, Mr. Francois Ganctier, in the Blitz, October 30,1993. He is living in Pandicherry, and his above write up is based on the political philosphy of great Indian revolutionary and saint, Sri Aurobindo Ghosh.*

Kashmir. The skies may not be far away from their reach. This small community of Kashmiri Pandit is bcoming a cosmopolitan one, and its young ones are spreading not only in different parts of the country, but all over the world. However, they neither want to lose their identity and entity, not the attachment with and their right and claim over their ancestral laud of Kashmir. As such, they do not want any segreation and seperation from the Valley of Kashmir, wherever and in whatever position they are. Many appear to have been haunting Kashmiri Pandits.

Various Kashmir Muslim leaders regardless of their Party affiliations, had been unnecessarily lobbying against Kashmiri Pandits for being supposed irritants to Muslims and having entrenche in the services which allegedly was one of the main causes for Kashmir terrorism. They had convassed this point of view to other leaders outside the State. Fed with and entertained to this falsehood, they thus misled them about Kashmir. Accordingly this found mention during a chat that George Fernandez had with Pressmen when he was Minister incharge Kashmir, in Janta Dal reigme. CPI(M) leader Har Krishan Singh Surjeet also, therefore, thinks in the same vein. He has been incharge of Kashmir on behalf of his party and must have approximately known the real facts. But he also hold the view that the monopoly of Kashmiri Pandits in the services in Kashmir "is also an aspect for the cause of Kashmir militancy which needs to be probed."[130]

This is baseless but exploitation by the leaders and the rulers who are side trackng the main issues which they in fact, avoid to face. Strange is that either the leaders and the rulers are deliberately keeping themselves in dark or trying to hoodwink others. In this confusion prevailing among various Indian leaders and rulers. (or lack of knowledge and undestanding of ground realties) how solution of the situation can be sorted out and an understanding arrived at ? Muslims are working against the posts of Hindus in the Valley since long now. It should have brought terrorism to an end long back in Kashmir, if the

130. *Former President Bar Association, jammu Mr. D.K. Khajuria told me about it. He and the former ministers of the State, Mr. M. N. Kaul and Mr. Giyas - ud - Din met Mr. Harkrishan Singh Surjeet in March, 1991 in Delhi and the latter expressed it to them.*

services were really a cause for it. Terrorism continues in Kashmir even now which regates the plea of services. Uneducated unemployment is horribly on increase in Jammu region which could have provided the Jammu Youth all the more reason to take to arms. But they have not done so.

Terrorism is the only one aspect of the miseries, troubles, trauma and tragedies of Kashmiri Pandits. It was culmination of policy of apartheid adopted and followed against them.

There is no qualitative change in the circumstances prevailing in Kashmir which have already assumed violent and more aggressive posture. The entire Kashmiri Pandit community, has been put in shambles. It has not lost only moorings but the roots too which had taken it thousands of years to get embeded firmly into the soil of Kashmir. Those who claim to have helped the community, in fact destroyed and annihilated it. They by far, acted on Kashmiri Maxim "Patran Sag Moolan Droth"(nourished the leaves snapped the roots).

What is left for them now in Kashmir? A civilisation has been damaged and sought to be destroyed totally. Its traces and remnants are being obliterated. Their heroes will live no longer in history for them.The community is going into the archives of time and in future, to untracable oblivion. But a day will come and come it will, when it resurrects, with resilience.

Their temples and shrines have either been snatched, desecrated or damaged. In the current half a century, Revenue records on official level have continuiously been tampered with, changed and interpolated. The areas, places and the shrines belonging to the Hindus, have been mutated and converted to Islamic property, A long struggle for survival of their temples and shrines, their religion and culture and above all, their living and existence in Kashmir was put at stake long back. During this period of terrorism, about 16000 houses, cowsheds and other structures of Hindus have been damaged and burnt down.

Innumerable dwelling houses have been converted and reduced into naked and skeleton structures. All goods, articles, valuables and

other belongings are stolen, Their looted articles have been put on open sale, things like sanitary wares, electric fittings, water taps, Almirag's other fixtures and fittings including doors, windows etc, have also been stolen rendering the houses uninhabitable structures. The another shocking loss suffered by Hindus of Kashmir is by way of the theft and distruction of their books and manuscripts. The collection of important books most of the Kashmir Pandit families had made or valuable manuscripts and old rare books, they had still preserved through generations, are no more. A large number of books have been sold[131] for waste paper and finished still a large number by burning them down. A spectacle of Medieval Kashmiri is presented. Again a civilized human race is bruised and that too in 20th century Kashmir. In many of the cases, the naked houses have finally been gutted by gun powder in a manner so that the internal floors were broken and demolished and the outer structure had remained intact in many cases, depriving owners of the Insurance amounts due where the same were insured.

Many of the Hindu houses have reportedly been forcibly occupied by the Muslims with the connivance of Police

" Seventy five percent ot the houses of displaced Hindus forced to flee five years ago for fear of life, are inhabited by Muslims on liberal basis with impunity. In certain Hindu houses two to three Muslim families live together, sharing the portions mutually"[132]

Whenever the owners have lodged a complaint with Police from outside Kashmir Valley, The police and the law and order agency have not taken any action. In some of the cases, the occupants got infuriated on the complaint and the houses were set on fire. The forciful and illegal occupation of houses was reported even from Indranagar, Srinagar which is in the heart of military Cantonment. A displaced Kashmiri

131. *Mr. A. K. Raina, an officer in the Civil Secretariat goes to Srinagar with Darbar move. He told me that last time he found sale of heap of valuable books in Srinagar and he himself purchased some valuable books for a nominal amount.*

132. *The Sahayogi Times, Jammu September 11, 1994.*

Pandit house owner M.L. Krundu, was divested of his house by a Muslim, said to be an orderly in Srinagar.

There is small concentration of Hindu population there being close to army barracks and offices. Some of the Hindu neighbours asked the occuprier as to how he broke open the locks and was staying there alongwith the family without permission of the owner. " I am owner of the house, I have purchased it," he bluffed them. Any way the real owner was some how intimated about this development. He hurriedlly rushed to Indranagar and asked the intruder to vacate the house which he resisted. Finally, with the support of his local acquaintanees and the house being in the sensitive Army Contonment area, the intruder had to vacate his forcible and illegal occupation. When this can happen in the proximity of Army barracks and offices, worse still be expected elsewhere in the Valley? At the same tjme, any serious onslaught on Army and valuable loss of life of any high ranking army officers and damage to the army property and records cannot be unexpected and ruled out as happened in 1994?

Anti India elements have purchased Hindu houses and lands after forcibly possesing the same and compelling them for sale in general and in particular at the places and areas of strategic value for stricking purposes and also for long range political onslaughts and accrobatics. Even in the most sensitive areas of Indranagar and Shivepora in Srinagar Cantonment, the Hindu properties have been purchased. There is distress sale made by Hindus in the Valley. The sale purchase in most of the cases is Benami as used to be elsewhere in the initial stages for getting access, entry and accommodation to prepare for striking terror and harassament by such anti national elements and foreign mercenaries. In this way also the quantum of Hindu property is fast reducing in the Valley, which means the chances of return of the displaced persons are becoming remote. The position of Hindu landed property is :

> *"..................... at present the Kashmiri Pandits own about 2.7% of the orchard land; 2.4% of the agricultural land and 0.06% of the Urban land in Kashmir; whereas The Muslims*

possess 96.4% of the orchard acrage, 97% of the agricultural land and 99% of urban landed estates."[133]

The remaining houses are merely naked structures standing without doors and windows. Where will the returnees go and reside? Either their individual or joint houses in large numbers stand raised to ground throughout the Valley; or have been rendered and reduced to uninhabitable structures; or have been occupied by Muslims. According to an estimate, the number of such affected Hindu houses has so far reportedly gone upto thirty thousand. Their other immovable properties like orchards, seed and safforn farms, vegitable and paddy lands have also been forribly occupied by the Muslims. In many cases, the produce thereof and also income therefrom, is appropriated, misappopriated or grabbed.

The other methods have also been used for harassing, agonizing and depriving the members of this dislodged and exiled community of the properties in Kashmir exclusivly owned by them or possessed as tenants. There have been cases that the locks were broken, possession regained and inside articles removed where the displaced was a tenant and a Muslim, his land lord : The divesting of the shop under his tenancy or the other such demised premises, used throughout by a Hindu as his business centre, also sealed his fate now in Kashmir. It also , therefore, impaired his chances of going back to Kashmir. With the loss of business premises, he has lost every thing, his outstanding, his good will and reputation, which has dimmed his future prospects there. This apart, with loss of services, they lost much, even the scope to go back to the Valley. Over and above all this, what is the future guarantee for their security of life, honour and livelihood? Despite the current terrorism in Kashmir, the Hindus may again reporse trust, confidence and faith in the general goodness of Kashmir Muslims, but will it end the problem? After some period of his return to and resettlement in Kashmir, if such or smimilar things occurred again, would not the good Kashmiri Muslims feel helpless as of yore and now, in saving the life, honour and property of the Hindus there? Why should the exiled community

133. Mr. N. N. Koul in Sahayogi Times, September 11, 1994.

then take chances and risks again and again ?

There are some other horrible instances of injustice, rather of highly crude and callous form. One or two instances may bring home the conditions.

A Kashmiri Hindu, named Girdhari lal was running his business at the ground floor of Baba building, Residency Road, Srinagar for the last many years. The business, however, remained suspended and the rental premises duly locked, after his forced migration from Kashmir.He had always huge stocks in the business premises for regulr sale and supply purposes. The stocks were insured every year for about Rupees ten lakhs. On expiry of Insurance policy after his displacement, the Insurance Company refused him to renew the policy. In the last week of December ,1992, this business premises was set ablaze. Despite his repeated efforts to get ex-gratia compensation by him from the government for the fire and loss he sustained and suffered as will as the salvaged property, if any, and the shop back , he has received so far nothing except worries and anxieties. All that he has received is a communication dated 12.3.1993 from the Police headquaters, Jammu, confiriming the fire. It inter alie reads.

> *"In this regard a detailed report to this effect received from SSP Srinagar vide his No. CRB/MIG-93/-1309 dated 18.2.1993 which reveals that your establishment viz "Girdhar Scientific" situated in the said building at Residency Road Srinagar has been put to flames by some misereauts. Accordingly case FIR No. 207/92 u/s 436-RPC stands registered in P/S Kothibagh".*

The displaced and distressed sufferer had claimed Rupees fourteen lakh compensaton for the stocks from the governmnet vide application dated 17.3.1993. In many cases the stocks are removed first from business premises and then the shop has been torched. The above claimant told me that the Muslim community gets all the facilities and concessions from the government in Kashmir, like immediate compensation for fire, Timber Bank loans, as well as rebuilding permission where sought, otherwise constructions are made without

premission.

A family man with young children and victim of the damage and loss, heaving a sigh of grief, further expressed that his land lord availed of these facilites and had the premises rebuild, but deprived him of the shop, losing all the valuable stocks as well. The government also did not help him in any way to allevate his miseries and sufferings, by passing his all genuine claims, not paid even the oustandings for supplies made to different government departments prior to displacement. They in Kashmir, are beneficieries in every manner and the displaced in exile are sufferers in every manner and circumstance. This tale of woe and wail is of every uprooted business man from Kashmir, living in exile under trying and tragic circumstances.

Om Prakash Suri was running a shop with his father, Ram Chand in Kashmir prior to their displacement in 1990. They had their own small shopping complex at Mohalla Jadid, Tehsil Road, Baramulla. This building with four semi underground godowns, had also four shops. While one godown was rented out to one Ghulam Rasool Teli, two and three were retained by the owner and the fourth godown was held on rent by Noor Mohamed. Above the godowns, the one shop was held as tenent by Ajit Singh, who runs a Tabba there. Second shop was retained by the owner, land lord, Ram Chand. Third and fourth shops were rented to Basheer Ahamed and Noor Mohamed. The three rooms above this story were let out to Busheer Ahamed and Noor Mohmed. The three rooms above this storey rented out to Abdul Majid, Rafiq Ahamed and Mohamed Ismail Rathar (decrease) and his son, Riaz Ahamed. All the above tenants had long back (prior to displacement) executed rent deeds with the land lord.

Miscreants set this shoping complex to fire on 14-12-1995 which was confirmed by D.I.G. Police Jammu, vide his communication dated 30-01-1996 to the owner, Om Prakash Suri. It was apparently again a conspiracy to divest the property from a displaced person. After hearing this sad news, Ram Chand died of shock in jammu. His widow, son and daughter-in-law still find themselves in a state of shock. What is more shocking about it, is the co-operation with and open help of the

government to the miscreants in any mean, illegal or even harsh act or conspiracy to stifle the throat of Kashmir Hindus. I am told that with the ex-gratia relief and aid given by the government, not to the owner/ land lord, but to the tenants, coupled with other help, connivance or permission to them, a new building has been raised on the spot by the tenants of their own. In this building, Teli Ghulam Rasool has taken two rooms in the top storey, when he had none previously. He has reportedly rented out one room. The owner has completely been ignored who is on the road side in jammu.

The organisations of Kashmir Hindus have time and again been demanding the government to prepare "Inventories of properties left behind by the Migrants and their shrines in the Valley has not been paid any heed to, and the exiled community has it always been taken for a ride.

The young and idle Om Prakash Suri filed a claim for payment of ex-gratia relief against the fire under the government rules for displaced fire sufferers. This claim petition dated 25-12-1995 has evoked no government response, nor any other help given or steps taken for removal of illegal occupation or sealing of the new building has been done to alleviate the misery and mental torture of the hard hit and afflicted family so far.

By examining these two instances of fire cases, the glaring contrast and contridiction in government treatment and policy come to the light exploding the myth of so called secularism and exposing the real undercurrents. The discriminatory approach and behaviour pursued by the government, State and Central, in Kashmir, with particular reference to exiled community comes to the light. Why and how long this shocking state of affairs can be countenanced by the dislodged and exiled community ? The government has always been adopting hostile attitude towards Kashmir Hindus which gives impetus to Muslim fundamentalism and fanaticism. The government in itself is a great enemy of Kashmir Hindus.

It may be stated here incidentally that the above deceased Ram Chand had escaped death in 1947 during Pakistan raid. His other two

brothers, however, namely Brij lal and Jawahir Lal were killed by the armed Pakistan raiders within the sight of their own parents at their old house at Ramghat, Baramulla, in 1947. Ram Chand gave the slip to the armed intruders and succeeded in running away from the house and the jaws of the assassin. The callous gunmen left after killing his brothers His crippled father, looked aghast. But the weeping and wailing mother searched for her third son-Ram Cahnd, who was not seen again by her. He too was killed, some one told her and she believed. There was none to arrange for and perform the last rites (Dah Sanskar) of her slain sons and to lit their funeral pyre. She then lonely collected the bodies of her dead sons and placed them close to her living but infirm husband, kissing and hugging them both. And then, she singly stacked the fuel in this room which was already stocked in the store for approaching winter. She set the room on fire and converted it into a funeral pyre. Amidst the leaping flames, she herself jumped into the fire to have the last embrace with her dearest dead ones and the nearest dying one, to he consumed all together, by the ragging flames.

The whole Valley of Kashmir has been got turned into a funeral pyre today for Kashmir Hindus. It is to be seen whether the government of India performs their last funeral rites of "Dah Sanskar" and lit their pyre with leisure or compel the exiled community itself to lit it.

The dislodged Hindus can not, therefore, go back to Kashmir under these circumstances and unless their demands of statutoryguarantees for safety, security and full share in power are conceded and implemented to their satisfaction. Furthermore, in the country's population, there are about 20 lakh Saraswats who are directly connected and linked to Kashmir, having originated from Kashmir. They also have a right to return to the Valley of Kashmir and settle there when the members of dislodged community go back to Kashmir for resettlement. These Saraswats are among the people whose forefathers had fled from Kashmir in the past for safety, due to their suppression, repression and presecution by the callous and fanatic Muslim Rulers and Governors. They are mostly now living in Maharashtra, Gujarat, Karnataka, Kerala and some other States of India. There is no reason to deny them right of settlement and franchise in

Kashmir, particularly in face of settlement of aliens there with right to vote, like Tibatian Muslims. This demand is irrespective of deletion or retention Article 370 of the Constitution of India.

Victims of Sun stroke / Snake bite



Mrs Raj Dulhari Kachru, Snake bite



Daya Krishen Moza, Sun Stroke.

Chapter-XV

Exiled Community in Dilemma

Life threatened, killings galore, honour involved, confidence shattered, houses torched, properties looted, lands snatched, temples and shrines desecrated, insecurity prevailing, future uncertainty lurking, a mass of people are under this situation, rendered homeless and rootless. This is what the dislodged and exiled community feels about its exit from the Valley of Kashmir.

True, it is not for the first time that the Kashmir Hindus have been forced to flee the Valley. The first mass exodus was in the reign of Sultan Sikandar Butshikan. His neophyte Prime Minister, Suh Bhat, (who adopted Saif-ud-Din Malik as his Muslim name) became no less a fanatic Muslim to help the Sultan and his other Muslim Courtiers in their attempts to wipe out Hindus and Hindu culture from Kashmir. The mass conversion to Islam was made at the point of sword and those unyielding, were either killed or had fled for safety.

The exodus of Hindus thereafter, continued with pauses during Muslim rule of different regimes, till the Sikh rule commenced in 1820, followed by Dogra rule in 1846. In between this period, there were both types of rulers, religious zealots and tolerant ones. Sultan Zain-ud-Abdin, however, distinguished himself as an enlightened and emancipated ruler wihtout parallel. "Bad Shah" (the Great King) as his people call him affectionately, is still remembered by this name with love, respect and reverence. And with him went down to the pages of history a Kashmiri Pandit-Shri Bhatt. He did a great sacrifice for Kashmiri Pandits and caused metamorphosis of the Sultan who then

adhered to the views of religious tolerance and people's upliftment. Consequently many of the Pandits came back to Kashmir.

During the rule of Aurangzeb and of the imposted Afghans, persecutions of Kashmir Hindus was again at the peak. The exodus from Kashmir, therefore, in small and large numbers continued during those dark days : There were no roads, no transport arrangements, no rule in Delhi or elsewhere in the north favourably disposed towards Kashmir Hindus which could have been expected to lend hope and succour to those wayfarer fugitives. They had no sufficient money also to undertake long travells.

The die hard Pandits preferred to undergo all the persecutions, traumas and travails, than to succumb to the condition of embracing Islam for savety of lives.

As and when conditions were some how getting better with the change of ruler, some of the Pandits were allured to stage come back, but not all, thinning the otherwise majority of the Hindus to a neglegible minority. What the heinous crimes and the unending cruel religious persecutions the Kashmiri Pandits have sufferred and faced in the long history of Muslim rule over them, is perhaps unheard of elsewhere in the world. To try to give some solace to the wounded heart of the Kashmir Pandits, victimised from generations to generations, the savage and dastard acts committed may be attributed to the "Medieval Kashmir". Ignorance and backwardness of Muslim Rulers in that age, giving in before religious bigotry, may be advanced as a pretext to shut the eyes and overlook that inhuman attitude and behaviour as the things of a dead past.

But what about this modern progressive age. When the twentieth century is round the corner. The brutality displayed by the Muslim terrorists with the aid of Pakistan is no less, but on the whole, more dimensional, more cruel, more sweeping and more aggressive in modus operandi, form and application. Does twentieth century also fall in "Medieval Kashmir"? The painful aspect of current human tragedy and genocide is that in olden times it were the Rulers only and in modern times these are the masses who have taken to these cruelties

and inhuman killings. There has been, therefore, shift in such like shameful activities from Monarch to the masses. All the parameters, the historians may, therefore, apply in drawing a line of demarcation and differenciation between the "Medieval Kashmir" and the "Modern Kashmir" fail and baffle them. Some of the universally accepted norms in this behalf, may not fit in the scheme of Kashmir and is not likely to lead to correct inferences and conclusions. When it is so, the treatment to Kashmir situation also suffers from inacuracy. The ailment is of olden times but is regarded of modern age. The medicines are prescribed accordingly for a modern disease, which doesnot cure it. The very diagonosis of the ailment is, therefore, not correct, which otherwise needs a strong and effective treatment as the chronic ailment like this may warrant.

The Indian Rulers, politicians, writers and historians apparently never bothered to look to this aspect of Kashmir, nor could so visualise the consequences ensuing therefrom. The legacy of Muslim fundamentalism of Rulers of Medieval Kashmir is in fact, the ailment Kashmir suffers from. It does not come in conflict with Indian nationalism only but with "Kashmiriat" too. The more range of conflict deepens and spreads, the more sphere of disaster widens. Sometimes these elements are dormant, othertimes they are activated, creating a discord between the two communities as well. "Kashmiriat", though discounted by some Rulers of Medieval Kashmir, has been a great force to reckon with. Laleeshwari (Lal Ded) and Noor-ud-Din Noorani (Nund Reshi) have contributed a lot to nourish "Kashmiriat", a proud heritage of Kashmiris. The legacy of some Muslim Rulers and the heritage of "Kashmiriat" is on war. But what role the Indian politicians and the ruling junta and others of the Centre played in Kashmir ? They have always had shut their eyes on Kashmir. They connived at sufferance of the loyal elements there, who always were putting up a valiant struggle for their survival against the heavy odds as well as for upholding the lofty ideals of Indian secularism. They also showered their blessings, generally and mostly on the forces and elements, more opportunistic and wavering, than dependable and sincere.

Kashmir Hindus were amongst the loyalists including a section of Muslims. They knew their hardships and the unsurmountable hurdles and impediments created in their path, which was as tedious as it was strewn with thorns, Ignoring and underestimating their contributions made and the role they played, was nothing but discounting the national interests itself.

Whether the Centre had any perception of it or not, but the Hindu community was aware of its position of getting tightened.

National Conference under the leadership of Sheikh Mohamed Abdullah in particular, disillusioned Kashmir Hindus and the pro-India Muslims. Placing the entire trust upon Sheikh Abdullah and depending upon him exclusively and to an unreasonable extent, Jawahar Lal Nehru, made Himalayan blunder about Kashmir. He also made unwarrented commitments, perhaps forgeting that he was not only a public leader but also the Prime Minister of India. His too much and misplaced reliance on Sheikh Abdullah, brought the people of Kashmir under rough weather. Congress and Nehrus were the responsible for deteriorating condition of Kashmir Hindus who could never feel mentally eased and otherwise secured in Kashmir. It was, however, Nehru with his unprecedented popularity, status and stature who could mould and handle any situation even worse, and got out of trouble.

A deputation of two Kashmiri Pandit leaders Sheonarayan Fotedar and Janki Nath Bhat, went out of Kashmir in 1949 on a specific mission. The deputation was to have assessed and ascertained the feasibility and necessity of shifting the Kashmiri Pandits outside the State from Kashmir to some suitable area in the country with temperate climate. Jawahar Lal Nehru had during those days visited the Sapru family in Allahabad on demise of Sir Tej Bahadur Sapru. Nehru had emphatically expressed and convinced the Saprus and others there in no vague terms that Kashmiri Pandits should not leave Kashmir as they were safe there and their future secured, the deputation was conveyed. This guarantee was given by Prime Minister, Nehru on the assurance extended to him by Sheikh Abdullah. Jawahar Lal Nehru believed and relied on the assurance of Sheikh Abdullah as he was the

secular leader, according to Nehru. In view of the talk of holding plebisite, the deputation also met Prime Minister, Jawahar lal Nehru and expressed some misgivings to him in that regard. Prime Minister Nehru clarified, "There will be no plebisite in Kashmir." When Prime Ministe Nehru was suggested to concentrate on Jammu, he stressed "Kashmir Valley is the prize". On Deputation's asking the Prime Minister about the stability of Kashmir's relationship with rest of the country, Jawahar Lal Nehru quipped, " I will send the whole world to wreek and ruin, but will not leave Kashmir," Justice Janki Nath Bhat (Retd.) told me all about this recently.

But the Kashmir Hindus were relegated to the position of 1947 again, even worst. They have been ousted from Kashmir, exiled and thrown on the road side, which Nehru could never imagine or concieve. The Kashmir Hindu community, now in exile, is justified today to express rancour and anger against the Centre. The Kashmir Pandits have been forced today to think seriously about their future settlement.

The loyalists and followers of main line political parties of the country in Kashmir had pinned hopes on Prime Minister Nehru about their safety and security in Kashmir, notwithstanding the Himlayan blunders made by him. But the demise of Jawaharlal Nehru on May 27, 1964, shocked these elements in Kashmir.

Due to passing away of Jawahar Lal Nehru, matters continued to be in melting pot. It was this awareness of the situation and apprehensions that the Kashmiri Pandit ladies, perhaps for the first time in the history of Kashmir, came out voluntarily in the streets of Srinagar in large numbers. They took out large processions to mourn the death of Nehru. The Kashmiri Hindus felt that their future remained unsettled. The ladies procession was a desperate expression of that feeling. They paraded Habba Kadal and Civil Lines areas consecutively for two days, lamenting and bewailing the death of Nehru, Although his apparent policies were not helpful to Kashmir Hindus as those were helpful to Kashmir Muslims, yet the Panditanis openly and publicly mourned Prime Minister Nehrus death.

No mourning processions were witnessed in Kashmir Valley other than those of Panditanis. Not only that they were overwhelmingly surcharged with emotions, but also they foresaw their future in doll drums. There was perhaps no one left in India who could deliver the goods or at any crucial stage could come foreward to save and rescue them. He had strength and capacity to do much, they believed. As such, they were engrossed in grief and shock. While in procession, they uttered elegiae sentences in pathetic voice and mournful mood

"Katoo ghave sonye Jawar Lal " (O! Tell us where has gone our Jawahar Lal)

Travith haa asseh ghav Jawahar Lal (Ah! Jawahar Lal has parted from us)

Katyu Zahhandun wane panun Jawahar Lal (where will we now look for our Jawahar Lal)

Neither half baked solutions will work in Kashmir, nor piece meal treatments be of any avail. It requires the eye of a statesman, muscle of an army man and skill of a cadre service man, combined in one, who is called the Prime Minister. The Central Government has negotiated and tried Accords also. Baig porthasarthy negotiations was infact, Indra- Sheikh Accord which came into force on 25th February, 1975. Accordingly Sheikh Mohamed Abdullah was again inducted as Chief Minister (so designated). This Accord also did not bring in political stability in Kashmir. It rather worsened the conditions. Again a Accord was entered into, with Dr. Farooq Abdullah in 1986, known as Rajiv Farooq Accord. It also did not make any improvement in the situation, which became worst, finally dangerous and out of control. It saw exit of Hindus from Kashmir. Could the situation be still worse that the government of India was waiting for to respond and react ? After every Accord or material change, there was pause and peace for some time. The mysterious and mischevous functioning of the governement, howerver, produced its effect and by. Consequently, the ugly monaster of political restlessness, instability and uncertainty emerged again on the scene with all its frightening appearance.

Why and how it happens? There can be three deductions. Firstly, the policies and functioning of Central Government about Kashmir, are week, unjustified and unwarranted, constituting its failure in Kashmir, which need a thorough review. Secondly, the complicity of rulers in creating explosive conditions and following the policies stalling growth of healthy politics and stability. Thirdly, there is hand of foreign agencies, powers and elements in colloboration with some persons and forces in Srinagar and New Delhi. A high level probe needs to be conducted by the Central Government through a high power Commission of Inquiry constituted and appointed in this behalf.

Obviously, therefore, the policy of executing Accords has brought no dividents. It has failed in Kashmir. A new strategy, action plan and programme, based on strong and firm policy both, short range and long range, have to be framed, evolved, adopted and tenaciously followed.

Accords have not reflected the views of Kashmir Hindus, nor their interests have been taken care of. As such, they have not been in favour of such Accords which are result of arbitrary exercise of powers to thrust upon the people, or at least a section thereof arbitrarily. These have not been in accord with lofty priciples of democracy but have counterblasted democracy.

Hindus in Kashmir lived for long under an illusion. They were squeezed, economically and politically, by the government. They never imagined and thought that their genocide of the kind committed, would ever take place in Kashmir. In this regard, the Hindus remained complacent due to presence of huge national army and security forces in Kashmir. Indian forces were deputed in several countries of the world as Peace Keeping Force. They went to those countries to save the innocent people and to render help and keep peace. How shameful it is that our own forces could neither maintain peace in Kashmir, nor could they protect the innocent dislodged and exiled people there, whatever the reasons? The Centre also can not boast of all that happened in Kashmir.

While Sheikh Abdullah and his successors proved that Nehru's trust in him was misplaced, the native Muslim terrorists, their supporters and sympathisers also con mited breach of trust reposed in them by the native Hindus. The concept of co-existence followed and adhered to, by the communities in Kashmir previously, stands demolish and discarded by the Muslims. The times have proved that Sheikh Abdullah was correct in often warning the Kashmir Hindus that they were a trust with the Muslims of Kashmir and that the Indian Army could not save and protect them. Qualifying it further in many of his public speeches made even to Friday Muslim congregations at Hazaratbal mosque, he emphatically said, "Kashmiri Pandits should not depend on Indian Army. They should know that Indian Army cannot save and protect them. It is only the "Farzandan-i-Tawheed" (Followers of the prophet of Islam) who can save and protect them." He or any other Muslim leader never treated Kashmir Hindu as full fledged citizen of Kashmir with equal and quitable rights. They regarded them only as a minority with concession of holding them in trust which could live on the concessions only and not in their own right. It denigrated Kashmiri Pandits, creating a psychological atmosphere against them that they were to live at their pleasure and in the manner they liked them to live.

The moment intentions turne dbad and were overtaken by evil designs, the trust vanished and the harsh consequences followed. However, an unhealthy political thought current prevailed in Kashmir which in the real sense, never let political Coheision to come about, despite best efforts of Kashmiri Pandits and even some Muslims.

This is one side of the coin but the other side of the coin is also not bright. The Indian Army and Security Forces could not save and protect the Hindu community (and Muslim secularists) in Kashmir who were forced to vacate the Valley. It was perhaps the last, jolt, shock and debacle that the Hindus suffered in Kashmir. Denial of the citizenery rights to Hindus apart, Sheikh Abdullah's trust also was breached and the mutual confidence shattered without any provocation on the part of Hindus. To revive and restore that trust is not so easy a matter. The principle of co-existence as also many a thing learnt in the past in the mutual company, are unlearnt by the Muslims now. They have

politically turned hostile to Hindus and their new generation is unaware of the past amity. They have been brought up under gun culture. They have either witnessed or participated in loading the guns against and aiming the same at security forces, Indian agents and the Kashmir Hindus. For this new generation of Muslim, Kashmiri Pandit is a tale of the past. He is for them now "dead" as wiped out from Kashmir, who could not be saved in Kashmir even by large contingents of Indian Army and Secutiry Forces.

Who can then save him in Kashmir? The Indian leaders and the masses do not come out from their respective narrow shells of caste, creed and region. They are not sensitive to the heart throbs of the displaced people. On government level Kashmiri Hindus are treated as apartheid. A piquant situation has risen. It is not only a political dead lock but a death knell to the exiled community. This has brought the exiled community at the cross roads. The whole dislodged community is in dilemma now. Evidently Army and Security Forces also stand no guarantee for the safe and secured living of Hindus in Kashmir.

An argument may be advanced that some political forces and parties in Kashmir, though votaries for independence, are non communal and secular in character. That is why they never opted for Pakistan, a Muslim theocratic State, but stand for Independent Kashmir. JKLF(Jammu Kashmir Liberaion Front) can be quoted as one such party. The JKLF is the substitute of esrswhile Plebiscite Front, which was partonised by Sheikh Mohamed Abdullah when he was out of power before 1975. Plebiscite Front stood for secession of Kashmir. JKLF is also partly a substitute of Sheikh Abdulla's National conference, which he revived and formed after assumption of power again in 1975. The residue National conference is headed by Dr. Farooq Abdullah. The most of the JKLF followers, supporters and sympathisers in Kashmir constitute in a way, underground terrorist out fit of National Conference and the latter is its organisation. What the National Conference does not want to say from its platform, that is spoken by the JKLF. And what the JKLF leaders can not speak publicly, National Conference speaks that from its platform. JKLF demands for instance, total independence. National Conference keeps the subsidiary channel open

by demanding "Greater Autonomy" of pre 1952 position. It may also be stated that the JKLF was the first party which started killing of Hindus. Its terrorist members took initiative in killing a number of Hindus in Kashmir.

When the killing of these Hindus was not bothered for by the government, the other terrorist outfits later joined the spree of killing of innocent Hindus. One of its top leader, Mohamed Yasseen Malik has also the distinction of allegedly killing Hindus and Muslims. The armed movement launched by JKLF for achieving so called "Independence of Kashmir" is not at all on secular pattern and footing. It is absolutely not free from Islamic bias and religious bigotry. This movement is by Muslims, for Muslims and on behalf of Muslims. As such, JKLF also is communal and so is its movement, a purely Muslim movement. This movement is Muslim oriented admits Yasseen Malik himself.[134]

It hardly leaves any doubt that any local party or force is pro-India, non-communal and secular there currently, exceptions not ruled out.

True, some of the renegade terrorists like Jamsheed Sheerazi alias Kuka Parray, have lately started emphasising secularism and declaring Kashmiri as Home of Kashmir Pandits also. They are according to him, part and parcel of Kashmiriat. His political party, Awami League has in unambiguous terms stressed in its election Manifesto issued in connection with recent Parliamentary elections, that Kashmiri Pandits had full rights to come back and live in Kashmir as honourables citizens. In its 11 point Election Manifesto is included

"On their honourable return, Kashmiri migrants will be

134. S. Joginder Singh, leader Internalist Democratic Movement jammu, told me that two years back he had gone to srinagar to attend there on Intellectuals Seminar on Kashmir. Yasseen Malik categorically admitted that their movement was Muslim oriented and Yaseen Malik was apologetic about it, S. Joginder Singh told me. Kashmiri Muslim participants in this Seminar at Srinagar spoke the language of anti India and pro-Islam, further told me.

handed over back their properties. Satisfactory arrangements for their jobs and employment will be made and their living as respectable citizens shall also be guaranteed. They shall further be equal partners in the activities social, political economic and cultural spheres".[135]

Admiring the qualities of Kashmiri Pandits and soliciting their co-operation, Jamsheed Sheerazi (Kuka Parray) held the defective policies of State and Central Government, responsible for their present plight. In a press statement issued from Jammu, he said :

"The greatest challenge before his party is today to normalise situation in Kashmir and restore peace, as well as to bring back the suffering displaced Kashmiri Pandits. Known for their intelligence the world over, the educated Kashmiri Pandit community must extend co-operation to us so that we succeed in our object. We will leave no stone unturned in restoring the lost dignity and glory to the Kashmiri Pandits and hand them over back their properties, looted by anti national elements during their absence from Kashmir. We hold ourselves duty bound for it. We are very much affected after Kashmiri Pandits left the Valley. Although, we are not responsible therefore, yet we feel we are weekened and as if our arm is amputated by their departure.....The Central and the State Governments are not immuned from the responsibility to bring the Kashmiri Pandits to this position. Both the governments are responsible for their deplorable living in Jammu camps and elsewhere in the country, due to their wrong policies."[136]

The People's league supremo Shabir Shah, was also forthright in speaking about the bad condition that the Kashmiri Pandits suffering from. He made no secret of the fact that they had to leave due to certain mistakes committed. After his release from Central Jail, Jammu, Shabir Shah said in a public meeting :

135. *The Samachar Post, May, 12, 1996.*
136. *Janat-e-Kashmir, Jammu, April 21, 1996.*

"Many things went wrong against them (Kashmiri Pandits), forcing them to move out of the Valley. "Kashmir is incomplete without Kashmiri Pandits and I am eagerly looking for the day when they will be back in the Valley in their own homes". He admitted that some mistakes had been committed by some "black sheep" in the guise of militancy."[137]

For the first time in the seven long yesars of exile of Kashmiri Pandits, a voice was raised in their favour from Hazratbal Mosque, Srinagar. While addressing a Friday congregation at Hazratbal in December, 1995. Shabir Siddiqui, Supremo of JKLF(S) made some disclosures about the forced migration of Kashmiri Pandits from the Valley. He also made a bold admission that their properties and other assets were looted and houses illegally occupied by the trespassers. He also warned such elements to vacate their houses and surrender their assets and hand them over back to Kashmiri Pandits.

This is a silver lining, no doubt, in this whole suffocating atmosphere. However, it all depends how such parties and elements are handled and groomed and to what extent they can prove useful, helpful and dependable. But this alone will not clinch the issue. A complex and involved situation like the current one, does not afford to be complacent in any manner whatsoever. Some basic issues have cropped up after mass exodus of Hindus, which need to be seriously gone into, and satisfactorily resolved by the govenment. This issue is not so easy a task as one may presume.

Central Government itself is also responsible for the mess of things in Kashmir. The actions and utterances of those in authority, further complicate the situation than they seek to solve. Their irresponsible word by mouth or in black and white, add complicacy to the already delicacy of the situation and complex problem. While it sends green signals to fundamentalists and secessionists in Kashmir, it demoralises the Security Forces at the same time. The former Prime Minister, P.V. Narsimha Rao's assertion in public that anything "short

137. The Excelsior, JammuOctober 15, 1994.

of Azadi" can be considered for Kashmir is not a statement behoving any person in authority much less the Prime Minister of India.

It indicates lack of clarity of vision and waver of the mind on the issues, which is too dangerous for the country. It was no prerogative of the Prime Minister to make such an objectionable utterance against the interests of the nation and those who are suffereing from the situation and living like gypsies in exile. Without their consultation and consent, he made this utterance and misused his office and position, upon which the nation should not have lied over.

If the nation could not launch a strong protest on this undiplomatic and unstatesman like utterance, from the country's highest executive authority, and created no storm and havoc in the country on this point, what can this nation and the politicians be expected to do to the exiled community ? It is not prepared to listen any more these type of hints or suggestions from the Centre. The threat to the existence of the exiled community is emanating more from the Centre. If the Central or other leaders choose to take such undue liberties, the exiled community may also be at liberty to think on different lines and even to go on reverse gear. The fate of the exiled community is directly involved with any action taken or utterance made regarding Kashmir. They are, therefore, deeply and emotionally engrossed in it and are more sensitive about the issue and the situation than any other person holding position low or high. The displaced people have not, therefore, surrendered their rights to any authority for playing with their interests and adding salt to their injury. Restraint and caution needs to be exercised by them, so that the displaced are not impelled to withdraw the right given to represent them and frame a policy and strategy independent of them to tackle and handle issues involved themselves in the manner they deeme fit.

Kashmiri Pandits are the backbone of Kashmir. They are backbone of India too. But the government have discarded them as insignificant mass of people. The skin of exiled people is directly involved in Kashmir situation. Everything of their's is currently at stake and the government both, Central and State, is hoodwinking them. They

have been ignored, despite being the core loyalists. It is deplorable that their presence is conspicious by their absence in the government hierarchy of State and Central, besides unmanning the High Power Special Cells on Kashmir as well as for exiled people. The government may not have even bothered to have these extra cells and committees formed. The one Nodal Cell Sub Committee appointed once by the Central Government, though unrepresented by displaced persons, has also got defunet long back.

In view of receiving shabby and step-motherly treatement at each and every step, the displaced community should not be regarded as a crippled bonded labour.

The Centre is by its attitude, seeking to convert the sacrifice of exiled community into that of suicide. It is a very dangerous trend. The displaced and dislodged people are not prepared to commit suicide. They have committed sacrifiece for India, not suicide, which the central leaders want them to do. They may prefer to change the direction and strategy for their survival, if forced to do so, but will not allow to convert their sacrifice into suicide.

The Centre has always made all sorts of commitments to the disadvantage of the country. The Kashmir Hindus have even then been fighting for upkeeping the national interests in Kashmir and are suffering the consequences. The Centre and some leaders made the public commitment, though initially, for holding the plebiscite in Kashmir. The Centre and the various leaders often repeat to retain the Article 370 of Constitution of India. Also a commitment is made sometimes to grant Autonomy to Kashmir. Sometimes they say, that they will have unconditional talks with the terrorists.

The exiled community has always had to face the consequences of such commitments and their vogue and wavering policies. Which of their commitment is serious and which of their policy is non-serious, the dislodged community does not know. Inspite of this all, the exiled community always fought of their own, for preservation of national interests at the costs of their own interests. Unlike other States of India, the position of Kashmir and its people as it obtains, is different. Even

then the sacrifice of Kashmir Hindus for the country is unacknowledged and unaclaimed and have been left at the mercy of times.

The dislodged people have right to know from the government as to where they stand so that they form their strategy accordingly. They never slackened to face the odds and resist such commitment and the consequent reactions at the cost of many a thing. The community always exposed itself to risks for the follies of the Centre. Why should the community put everything at stake for such a Centre, which is not dependable and is dangerously working against them and the national interests ? This Community can also reap harvest by exploiting the Centre's commitments and follies to their own advantage, if it so chooses. The community will, in that event, carve out a niche in power set up and a place of honour and respect for itself in Kashmir. Only those living in fool's paradise cannot understand and realise it.

One fails to understand the relevence of all such demands made. This renders redundant Article 370 as it is. Let this Article be deleted till the other demands are taken notice of. In the alternative, all other demands be given up and discarded and concentration made only on retention of Article 370 as it is. All demands and all solutions is no demand and no solution. The Centre will be well advised to hear and not to suggest any solution of its own. The rechless statements, otherwise made, are even than of no use.

It is not fair that the government leaders and others are indulging in political revelry at the pain of the exiled community. Which community will and why any community should perpetually countenance and suffer the pangs of exile and extinction for such revelries of Indian leaders and parties, whether in power or out of power?

I had always a consistent view that various leaders and some National parties, are working in a different style none too healthy for the national interests in Kashmir. Whenever I found, according to my view, the policy of my party was going wrong about Kashmir, I resisted and opposed, even suffered willingly therefor.

But I never yielded. One of my press statements issued on such

an occasion in 1984 inter alia, said :

> *"At the call of my conscience and out of my patriotic urge, I was left with no alternative but to unfold the truth publicly in order to awaken the nation to the brewing crisis, and to ponder over the measures to check and weed out the spreading virus that gnaws deeper in the body politic not only of the State, but of the whole country.*
>
> *Kashmir is a hot bed of intrugues. Some leaders and elements do not lag in fanning communal and anti India feelings here, overtly or covertly, as a part of their game to uproot in the long run, the Indian sovereignity and democracy in Kashmir.*
>
> *I maintain my stand and adddress myself to the task of striving in my humble way for serving and saving the people of Kashmir and rest of the country, from the disastor they are being led to, willingly or unwillingly, by some leaders and forces, inside and outside the State of Jammu and Kashmir.*
>
> *I want to make it clear that I will be second to none in upholding the interests of my country and the nation, no matter what price and sacrifice I may have to give.*
>
> *With malice towards none, I will fight undettered, unbend and unyielded, the harmful double policy of the leaders and the anti national activities throughout the country and will seek to enlighten the people of my country with true facts and stark realities."* [138]

The disaster came ultimately and Kashmir is ruined. No body

138. These are the excerpts from the author's statement issued from Srinagar on 31st August, 1984. Among other papers, the jist of this long statement was published by the Hindustan Times, New Delhi on or about September 1, 1984.

paid heed to my warnings as some were intoxicated with power and others were after the flavour of power unmindful of the shaping events.

I have continued my mission honestly and steadfastly as also the struggle to achieve my objective. The vested interest and opportunists, however, get their crumb of share in power, unmindful of the realities. The results are before the nation. The entire exiled community has been ruined and thrown on the road side. It depends upon people of the country to see the success of my mission and to support or not to support my mision. It is again upto them to see the things for themselves and decide upon the course of action. It will help me also to determine my path and chalk out my action plan for future, accordingly.

The most affected and suffering Kashmir Hindu community has been taken for granted and does not figure anywhere in the estimation of Indian Rulers and various politicians. That apart, this community is, however, intellectually still in high esteem of the Kashmir Muslims in general and terrorists in particular.A displaced Kashmir Pandit professor was kidnapped from Srinagar about three years back, by the terrorists. He had gone there to complete his pension papers.On the promise of annonymity, I narrate here the jist of their talks. He was asked by the leaders of the terrorist outfit, the following three questions.

Q.1. : Why the Kashmiri Pandits migrated from Kashmir ?

Ans. : Some of the Kashmiri Pandits were killed and others felt insecured. Out of scare, they migrated from the Valley.

Q.2. : What do you think is the cause of our failure ?

Ans. : Kashmiri Pandits got terrorised here which resulted in their mass exodus. That weekened your position internally and externally. Your movement was, therefore, reduced purely to an Islamic fundamentalist movement and could not be regarded as a movement of Kashmiris.

Q.3. : What should we now do to succeed ?

Ans. : Unless you enlist the support of Kashmiri Pandits, you

cannot succeed. The captive was then released with thanks and the terrorists on duty were directed to drop the Professor with respect at the same place he was kidnapped from. The Professor told me that he was taken by the terrorists to their leaders blind folded and they all appeared well educated. But the surprise was the Professor added, that without knowing them, they had all the relevent information about him.

In case the Central Government concedes any demand of the terrorists or other leaders, loosening the ties between Kashmir and India, as a step towards grant of further powers to Kashmir, the exiled community may have to reconsider the matter. The displaced people may even oppose the intermediatory role of the Centre and themselves may directly start negotiations with the terrorists and other Kashmir Muslim leaders to arrive at an understanding and mutual settlement with them about Kashmir to the exclusion of the government. The displaced people are not prepared to cut always sorry finger and be thrown out of Kashmir intermittently. Only in the post Independent era of India, the Kashmir Hindus have been displaced in 1947, 1965, 1971, 1986 and in 1990. They are not, therefore, prepared to be subservient to wavering Indian leaders, who are engaged in caste and parochial strifes in the country, in which the displaced community has no place. They are exploiting Kashmir for their own ends. The members of the dislodged and exiled community shall have to review the whole situation, being an important and affected party, and to plan their strategy,accordingly.

Without being aware of the political subtlities and under currents of Kashmir, the Central leaders and other politicians unnecessarily make Kashmir Hindus scape goats. What humiliation and the worst, the Kashmir Hindus have suffered in this age and in their own India (provided people of India also treat them as their own) is really shocking. In that background and comparing with the modern alround conditions, Kashmir Hindus have not experienced such a shcoking humiliation and trauma even perhaps during the fanatic Sultans, Mughal zealots and Afghan tyrants. They are not prepared to put up with this perpetuating humiliation and agony any more, nor like to be treated as dumb, driven cattle of the political shepherds, holding

the fort in New Delhi-Right from start upto now, the conditions and circumstances coupled with the utterances, commitments and actions of the Centre and various political leaders and parties as well as those of fundamentalists and secessionists, Kashmir Hindus are being driven to demand and strive for seperate Homeland, with self rule.

Foreigners kidnapped / hostages



Injured Fli Maman of Israel who was injured while escaping from terrorist captivity in Srinagar.

Mr Kaul is one among those who fought for civil liberties and free elections in 1957 and onwards when despotic clouds were looming larg over the State of Jammu and Kashmir. Dairing and revolutionary, he is rigid and unbending in his stand and has never yeilded before pressure or allurement.

He is a man with varied tastes and interests and was also an Urdu short story writer in his student age. He was also editor of the Vakil (English) in Delhi in early sixties, after its publication was banned in Srinagar.

Mr Kaul is the scion of a noted dynasty of reputed Kaul brothers of Kashmir (known as Vakil brothers also) who were great agitators against autocracy and fighters for people's cause, crusadrs for removal of backwardsness, poineers of female education, social reformers, literary figures, journalists and lawyers of great repute. The members of this dynasty have suffered great tribulations and imprisonments during the course of their long struggle.

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